G R S App I IX 4]

Previous References

1942 - (91)

File No 157-

Serial Nos 1,

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

✓

Part B for Sept 42

SUBJECT

Amending The city municipalities Act 1933.

6262/635-1

General and Revenue Secretariat | Ml File No of 1940 | [App F III-2

Serial No

Letter no A4 1067/39-40 dated 5-4-40 from the Municipal Comr Bangalore City forwa a copy of the resolution of the Ml CC re- the proposal to amend the City Municipal Act- so as to make provision for the prosecution of defaulters of assessed taxes

Letter no A4-1067/39-40 dated 15-4-4 from the Ml Comr recommending to add a sub clause as 102A to the City Municipalities Act- providing for the prosecution of defaulters of assessed taxes

1) It is stated that; inspite of the special efforts made to collect the arrears, there has not been any notable progress in the collection work of the Municipality and the collection staff complain that- coercive process permissible under the existing Municipal Act- are inadequate In view of this fact; the Ml Comr suggested to the Ml CC to consider the proposal of launching prosecutions in cases of failure to pay assessed taxes and to amend the C.M Act- accordingly The proposal having been discussed in the Ml CC, was lost- by two votes

2) The main ground of opposition to this proposal ~~was~~ has been ~~on the ground~~ that-

NOTE—Contn Sheet

6262

M L File No | of 1940 | General and Revenue Secretariat

Serial No

Cases in the City are heavy and this coercive procedure to recover the same will cause hardship to the tax payers While taxes are levied with the intention of recovering them, it is difficult to understand why effective legal efforts should not be made in this behalf Further, the fact that the collection staff find it difficult under the existing law to recover the arrears due, indicates that the existing provisions for this purpose are not sufficient

3) It appears that in the Bangalore Municipality the results of collection, under similar provisions of coercive procedure, have been considerable

4) Since this is a proposal to amend the City Municipalities Act the precedent of the Mysore City Municipalities Act may also be consulted in the matter Submitted

Flag V

Flag
27.6.40 5) The procedure for the recovery of municipal dues in city Municipalities is prescribed in chapter VIII of the Mysore City Municipalities Act 1933 The present proposal is based on the assumption that the powers now vested in

626/V/6.357

Serial No

example to enable them to show the best results in the matter of the collection of assessed taxes in Bijnecutz Mills and that, if a measure similar to the one in force in the ... States as introduced here, tangible progress can be achieved. Before it can be approved, it is necessary to examine the contention of the Mill Executive that the existing powers are not sufficient for this, it is necessary to call for particulars about the nos of bills issued, nos of demand notices issued & nos of distraint warrants issued & executed during the last five years. This will be an index of the action taken on this direction and how efficiently & effectively the Mill executive have worked. The proposal also involves a legislative amendment for which there should be a sufficient justification.

6) Our orders if information may be called for as above

for 28/4/40

7) On 1.1.40, there was such a heavy amount as Rs 5,65,232, as the balance to be collected and our ... has

1961 V 637

File No of 1938

General and Revenue Secretariat.

Serial No

Amount, more than 3 lakhs relate to previous years. So the Municipal Commissioner is of opinion that, to improve the ~~Collection~~ State of affairs the Collector would, provision similar to the one obtaining in C.P.M. Station, to launch prosecutions against defaulters, if they fail to pay up the arrears even after service of demand notice might be provided in the City Municipal Act; and has suggested the addition of a new Sub Section as 102 A as shown in the margin of his D.O letter. The Municipal Council are however against this proposal which was lost by 6 to 8 votes.

2. However, in view of the very bad state of the Revenue position of the Municipality it seems to be desirable to strengthen the hands of the Executive with the additional powers as suggested. The fear of prosecution is likely to make the defaulters to pay up the arrears promptly.

3. For favour of orders whether action could be taken to suitably amend the City Municipal Act.

Law Secy. 29/4/40

See 186(3) of the Law C.P.M. proviso

Amending the City Mtce Act 20 as to empower the M.C. to recover costs by prosecution

General and Revenue Secretariat — File No — of 1940 — [App F III-2

Serial No.

18) The suggestion of the Mt Commissioner is no doubt very helpful in collection of arrears. This is an important matter requiring the amendment of the Mt Acts This power may, perhaps, have to be given to all the City Municipalities

II Member)

OFFICE OF SECOND MEMBER OF COUNCIL
21 MAY 1940
No. A 108

Hm 2 20/5/40

11) Prob Mayor Cy Mr) to be consulted 20/5/40

Mr 25/5

Hm 2 27/5

12) Draft may be prepd 27/5

9/5 M/S

13) Ruled with a draft letter for appl

TYPING SECTION
29 MAY 1940
OFFN & IT

14) Toone

To: The Dept, City M.C. No L9936 Dy 30 5-40 Calls for his opinion in the matter

NOTE—Cover Sheet

6 3510 II

received back by J to prosecution

ML File No. 89 of 1939

General and Revenue Secretari

Serial No.

From the Chairman, C D T Bd, Bangalore
No GT 88 Dt 6/7/40.
States that the proposed amendment is very necessary and would be in the best interest of the mfg concerned and Commends the proposal for favour of acceptance

15) Ruled for orders with reference to para 4 supra

16) The President, myself & self considers that the proposed amendment would be in the best interest of the mfg concerned

10/7

Law Secy)

10/7/40

II Member)

Hm 11/7/40

17) 11/7

18) This is a Council matter and may be disposed of by circulation

Dewan)

Hm 15/7/40

15/7

19) Ms 16-7-40

Chief Secy)

Hm 17/7/40

17/7

SECY LAW DEPT * 10 JULY 1940 * GOVT OF MYSORE

SECY B & E DEPT 10 JUL 1940 No. 498

SECY LAW DEPT 17 JULY 1940 GOVT OF MYSORE

For Disposal by Circulation

No C 41 of 40 41

193

GENERAL AND REVENUE SECRETARIAT

Council Matter

Subject

20) Proposal to amend the Mysore City Municipalities Act so as to empower the Mysore City Municipal Councils to recover taxes from defaulters by recourse to prosecution

Circulated to the Members of Council

By Order

Chief Secretary to Government

18th July 1940.

86 First Member of Council 7/40 20/7/40

Second Member of Council (Secy)

Law Secy with compliments

22/7/40

22/7/40

Final Note by the Second Member of Council

Subject — 21) Proposal to amend the Mysore City Municipalities Act so as to empower the Mysore City Municipal Councils to recover taxes from defaulters by recourse to prosecution

22) These papers relate to the amendment of the Mysore City Municipalities Act, 1933, so as to empower the City Municipalities to recover taxes from defaulters by recourse to prosecution

23) The Municipal Commissioner, Bangalore City has brought to the notice of Government that, in spite of special efforts made to collect the arrears of assessed taxes in the City, there has not been noticeable progress in the collection work and that this state of affairs is due to the fact that coercive processes permissible under the existing City Municipalities Act are inadequate With a view to speed up the collection work, he has proposed that the City Municipalities Act, 1933 may be amended so as to make provision for the prosecution of defaulters in the payment of assessed taxes, though the City Municipal Council are not in favour of the proposal

24) The President, City Municipal Council, Mysore, who was requested to furnish his opinion in the matter has stated that the proposed amendment is very necessary and would be in the best interests of municipal collections and has accordingly recommended that the proposal may be accepted There is a provision of this kind in the Civil & Military Station, - Bangalore It is proposed to amend the Mysore City Municipalities Act, 1933 by adding a section as follows -

" 102 A In the event of non-payment of any tax imposed under section 64 within fifteen days from the date of service of notice of demand under clause 3 of Section 95, the person failing to pay such tax shall, on conviction

(F N —contn)

before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due "

25) The Dewan and the First Member of Council are - agreeable to the proposal

26) I solicit His Highness' gracious approval to take further action to place the statement of objects and reasons of the proposed amendment before the ensuing Representative Assembly and to bring up a Bill before the Legislative Council thereafter

Sd/- C. Narayanan

Second Member of Council

Bangalore,
30th July 1940

(10

Submitted to His Highness

27) I submit herewith a Final Note by the Second Member of Council on the proposal to amend the Mysore City Municipalities Act, 1933 so as to empower the City Municipal Councils to recover taxes from defaulters by recourse to prosecution,
for His Highness' gracious approval

Mirza M Ismail
Dewan
31-7-40

13/40

28) Order may issue in the
submission of the proposal
to His Highness

29) M 31-7-40

MS 1/8/40

1406/1840 FIRST MEMBER. 30) 1/8/40

1207/2840 SECOND MEMBER. 31) 6 8 40

Law Secy with Compliments

MS 6/8/40

Hm 7/8/40

Empowering Govt Municipal Councils to recover 1172/40 188 L Rents from defaulters by recourse to prosecution (11

General and Revenue Secretariat | File No D 24 of 194 | [App F III-2

Serial No

please Cov
& typed
T.S.M.
pl type in
telephone
for
9/8/40
put up
12/8

32) A Statement of the general Principles of the Bill is put up

33) submitted for orders whether the Town & the Minor Mkts Acts also may not be amended in this direction

WKB 9/8

for 34) This could be tried in the City Municipality in the first instance & the results watched before extension in other Municipalities

The Statement of objects & reasons is for approval

Law Secy) 12/8

35) No need to amend the Town & Minor Mkt Acts at present

II Member) Hm 13/8/40

36) 14/8

Hm 1918/40

19/8

37) To the L. C. Section - Pol Branch for further action

for 19/8/40 R A Branch 19/8

38) The file may kindly be sent through the Protection Branch

39) Protn Branch for rel 8/40 MMW 20/8

TYPING SECTION 9 AUG 1940

OFFICE OF THE SECRETARY TO THE MEMBER OF COUNCIL 14 AUG 1940 1558

OFFICE OF THE SECRETARY 20 AUG 1940

NOTE—Contn Sheet

12

Bill to amend the Leg Municipalities ...

File No D 480/RA of 194

Serial No

40) Reference is invited to G O no P 362 - 70 - Legn I 30-1 — dated 16th July 40 laying down procedure to be followed in legislation

41) A draft Bill may be put up by the administrative Dept concerned to Govt for orders

One 10/9/40

MRW 11/9

Asst Secy L & G Branch w e

12/9/40

42) Submitted

43) A draft Bill as put up

13/9/40

Law Secy

44) May be approved

II Member

13/9/40

1982 18/9

45) Bill 149

Hm 2 13/9/40

OFFICE OF THE SECRETARY SECOND WEST PAKISTAN PROVINCIAL ASSEMBLY 4 SEPT 1970 No 2555

Hm 2 14/9/40

46) the L. C Section — Prosecution Branch

MRW 16/9

16/9/40 47) Copies of the Statement of Govt Business as amended be sent to RA Offices for necessary action

3 Copies are placed below for being circulated

One 20/9/40 48) Copies laid on the table

MRW 20/9

49) Protection Br

Under 23 a(iii)

Recovery of municipal taxes by recourse to prosecution in Cts

188/L

(D)

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No	
50)	Sent with a D. N. for appl 25/7 Law Secy) 26/7/40
896 W5 26/7	51) D. N. submitted II Member) Hm 26/7/40
888	52) ITrQ 26/7/40
	53) S. N. submitted Dewan) Hm 31/7/40

SECY LAW DEPT 31 JULY 1940 GOVT OF MYSORE

NOTE—Contn Sheet

Recovery of Mesne profits

635 y'by Executive proceedings

Fl' No 9[illegible]/RS of 194

General and Reven Secretariat.

Serial No

54) The Statement of general principle of the bill to amend the Mysore City Rents Act was placed before the Dasara session of the R. A. 1940 it was warmly debated upon and the Assembly expressed itself against the introduction of this proposed measure

55) The question as to whether it may be brought up before the ensuing L. C. in January 1941 is a point for consideration In the meanwhile, the R A Secretariat will be requested to furnish extracts of discussions on this subject

fwa T/11/40 Law Secy)

7/11/40

56) R A Secretariat)

Hm 8/11/40

8/11

57) Concerned extract is put up herewith

8/11/40 L-S G Por

(Sd/- 8-11-40) Subs for orders re A above

fwa 8/11/40 Law Secy)

9/11

Bill to amend the Act ... Recovery of municipal rates by Collector process i.e. by recourse to ... prosecution ... Act ... [App F III 2]

General and Revenue Secretariat — File No 635/1 of 1940

Serial No

59) May be brought up before the ensuing [illegible] in Jan 41
II Member)

Hm 10/11/40

12/11/40

60) [illegible] 12.11
Dewan)

61) [illegible] 12-11-40

62) [illegible] 13/11

Hm 13/11/40

14/11/40

63) Solicitor. If approved, the file will be sent to the Protection Branch (Legislation) for necessary further action

15/11

64) Protection Branch)

15/11/40

JMW 15/11

65) The draft Bill sent with the file is at Flag L

66) It is for orders if a clause may not be added to the proposed section 102A expressly providing that the remedy given now is in addition to and without prejudice to the other remedies already available

67) A draft Bill incorporating this provision is put up

NOTF—Contn Sheet

Recovery of arrears by ... by securities presented

Fi' No 6337 of 194

General and Revenue Secretariat.

Serial No

74) The Statement of general principles which will be placed before the Dasara session of the R. A. in 1940 was warmly debated upon and the Assembly expressed itself against the introduction of the proposed measure

) The question as to whether it may be brought up before the ensuing L C in January 1941 is a point for consideration In the meanwhile, the R A Secretariat will be requested to furnish extracts of discussions on the subject

Law Secy) 7/11/40

7/11/40

Hm 8/11/40

6) R A Secretariat)

8/11

57) Concerned extract is put up herewith

L-S G Br 8-11-40

58) Submitted for orders re A above

Law Secy) 8/11/40

9/11/40

OFFICE

THE SECRETARIAT

31/10/40

3 2

Bill to amend the act with respect to Recovery of municipal taxes by collector process i.e. by recourse to the 302 procedure in act with this

General and Revenue Secretariat — File No 6851 of 1940 [41] — [App F III-2]

Serial No

OFFICE
1940
3119
4601

59) May be brought up before the ensuing Le in Jan 41
II Member)

Hm 10/11/40

12/11/40

60) Ker 12 11
Dewan)

61) Hm 12-11-40

62) Ker 13 11

Hm 13/11/40

14/11/40

63) Srivd. If appd, the file will be sent to the Protection Branch (Legislation) for necessary further action

15/11 Hm

64) Protection Branch) 15/11/40

Hm 15/11

65) The draft Bill sent with the file is at Flag L

66) It is for orders if a clause may not be added to t proposed section 102A expressly providing that the remedy given now is in addition to and without prejudi to the other remedies already available

7) A draft Bill incorporating this provision is put u

Bill further to amend the Mysore City Municipalities Act, 1933.

File No of 194

General and Revenue Secretariat

Serial No

The revised Bill will, if approved be published under rule 8 of the Rules of Business of the L C , the - Statement of Objects and Reasons being drafted on the lines of the Statement of General Principles.

69) Submitted for orders

5/11/40

70) The draft may be approved and the Bill published in the Gazettee

JMKV 27/11

Law Secy)

I Member)
II Member
Dewan)

Hm 27/11/40

JMKV 28/11/40

71) KCC 4/12

72) MJ 4-12-40

Hm 5/12

JMKV 5/12

73) Copies are placed below for being scrutinised before being sent to LC Office

6/12/40

JMKV 6/12

74) Ans & C Copies

75) Copies taken & file returned

6/12/40

76) Protection Branch

OFFICE OF THE FIRST MEMBER OF COUNCIL
NOV 27 1940
No 5289

3674

OFFICE OF SECOND MEMBER OF COUNCIL
DEC 1940
No 5349

OFFICE OF THE COUNCIL
6 DEC 1940
SECRETARIAT

3021

1840

The Mysore Co-operative Societies (amendment) Bill, 17

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

77) The Bill has been published in Part IV of the Gazette of the 12th December 1940

78) Submitted for orders if the following motions may be got included in the Agenda for the Lc

1 motion that the Bill published under rule 8 of the Rules of Business be read in Council

Move — II nd Member in Council

Secretary — Law Secretary

2 motion that the Rules of Business and Standing orders be suspended and the Bill be taken into Consideration at once without reference to a Select Committee

Move II nd Member

Secretary — Law Secretary

3 motion that the Bill be passed

Move — II nd Member

Secretary — Law Secretary

Dve 30/12/40

JMW 31/12

Law Secy)

II Member)

Hm 31/12/40

79) JPC 31.12

SECOND [illegible] 6681

SECRETARY

PRESENT

NOTE—Contn Sheet

Hm 2/1/41 JMW 2/1

80) Lc the Bhote motion

Dve 2/1/41

81) Noted the Inward

JPC 4/1/41

82) (Election Branch)

Bill Municipalities (amendment) Bill

3021/P

File No 188/L/40 of 1940

General and Revenue Secretariat

Serial No

83) The Bill was introduced in the Legislative Council at its recent session but after discussion was taken back in order to consult the Municipalities about the desirability of the measure

84) It will, if approved, be transferred to the Legislative (Administration Branch) to take action as suggested at the Legislative Council

85) Yes. JWW 22/1

22/1/41 Asst Secy L S G & R W C

86) Draft may be put up to Consult the Mal Comms 23/1/41

87) Send with a draft letter for appl

24/1/41 88) For perusal before issue Law Secy)

31/1/41

Amendment of the Mysore City Tolls Act 1889 & 40

General and Revenue Secretariat | File No L S 1322 of 194 | [App F III-2

Serial No

To the Rnl Commr, Bcig, thro Pdy
the Pdy, Cfy Rnl cl, Mysore
no L 632-33 dy 26-7-41
Requests him to obtain & forward
the opinion of the rnl cl in the matter
from the Rnl Commr, Bcig, thro Pdy
no A4 1067/39-40 dy 28-8-41
States that the rnl cl have, in their
meeting held on 16-8-41 resolved that
they are not in favour of the
proposed addition

69) Submd for personal orders

90) Receipt of information from the Pdy, Cfy rnl cl, Mysore will be awaited
MB
30/8

Law Secy) HM 8 or

for personal

Minister L-S-G) Hm 2/9/41

91) The rnl commr may be asked as to what alternative action he proposes to take to liquidate the heavy arrears HM 3 9 41

Hm 3/9/41

HM

92) Submd with a draft letter for appl
MB
6/9

93) Issue

HM 6-9

OFFICE OF THE MINISTER FOR L S G & P H Date 2-9-41 No. 1314

GOVT LAW DEPT 1 SEP 1941 GOVT OF MYSORE

NOTE—Contn Sheet

Amendment of the City Municipal Act.

(10) Mcl File No 322 / 1563 of 194 0-41 General Section

To the mcl Commnr, Bcity. This Dept
No L 2255 Dy 12-9-41
Requests him to state what
alternative action they mcl propose to
take to collect the heavy outstanding
arrears of taxes in the city mcls
from the Dept, city mcl cl, Mysore
No GT 2904/4142 Dy 5-6-42.
States that the mcl cl have at their meeting
held on 22-5-42 resolved to the effect
that it is not necessary to add the
proposed amendment and penalize
rate payer for money payment &
that the proposed amendment would
convert a civil claim into a criminal
liability
94) Sent for perusal. Both the city
mcl cls of Bangalore & Mysore are
not in favour of the proposed amendment
95) The mcl Commnr Bcity has been
requested in this office letter No
L 2255 Dy 12-9-41 to state what "B"
alternative action the mcl proposes
to take to collect the heavy outstanding
arrears of taxes in the city mcls &
his reply is awaited
96) The latest & interim reply
received from the mcl Commrs flagged "C"

LEGY LAW DEPT
S 115
13 JUNE 1942
GOVT OF MYSORE

9/6 In pursuance note reply para 91 supra 21 work plan &
A reminder will be issued to the mcl
Govt to state the progress made by
the Byelaw Committee in the matter of the subject
Law dept

Serial No

98) Submits with a draft letter for approval

K/S 11/7/42

99) Issued 11/7/42

To

The Ml Commr, Bcig. thro' DSS

No L 110 Dd 4-7-42

Requests him to state the progress made by the Bye-law Committee etc

Aug 1942

From The Ml Commr, Bcig. thro' DSS

No A4-1067/39-40 Dd 6.8.42.

States that the mnl cl have at their meeting held on 25-7-42 resolved that the promotion & prospects of the Executive staff to depend upon their prompt collection of arrears of taxes & that if this is done no amendment of the Bye Law is necessary & that collection would improve.

100) Submits with reference to Para 91 supra

K/S 10/8 42

101) The municipal Comm's letter dated 6.8.42 forwarding the opinion of the Ml Cl on the subject as suggested

102) Both the city Mlties of Mysore & are not in favour of the amendment proposed so as to enable the executive to take effective action in effecting the

NOTE—Contn Sheet

WD 04155—G1 B—55 000—23 10-41

Amendment of the C.P.C. [illegible]

ile No [illegible] of 194

General and Revenue Secretariat

Serial No

arrears of taxes due from defaulters

103 It is stated that the recovery of arrears of taxes largely depends on the efficiency of the Executive staff and that the promotion and prospects of the Commissioner of the executive Officers should be made to depend upon their prompt collection of arrears of taxes. The bye-law committee have also suggested the framing of a rule under the Act in this behalf. This is not necessary and there is nothing new in the framing of the rule, as the principle of granting promotion etc only for efficient work has been there already in common with other Govt depts as well. Only it has not been enforced and it would also be difficult to enforce especially in case where the Municipal Officers have been recruited by the Municipality itself.

104 In perusal with regard to para 9 supra in view of the attitude taken by the two Local bodies, it is for orders of the Govt whether the amendment may not be dropped for the present.

Law Secy 27/8/[illegible]

SECY LAW 27 JUL 60 GOVT OF M

105 The existing procedure may be followed

106 The proposed measure

Amendment of the City Courts Act 1933
Subs

General and Revenue Secretariat | File No 157 of 1942 | [App F III-2

Serial No

101

OFFICE OF THE MINISTER FOR L.S.G. & P.H.
Date 28 8 42
No 1823

is considered & the two proposals
Acts
26 8 42
Minister L S G
from
10 V.G.
31 8 42
Acts
31-8-42
from
1/9/42
Dewan
for May be dropped
for the present
Re
1942
Acts
1-9-42
from
1/9/42
110
Submitted for orders whether the papers may be filed or the views in para 1 of WDs communicated to the Hon'ble Court as suggested in Re Mr CC
May be filed
from
2/9/42
CC 3/9/42

NOTE—Cont Sheet

WD 041 —GPB—5 000—23 10 41

6261
6

BANGALORE CITY MUNICIPALITY

SECY 10 APR 1940 MYSORE GOVT

MUNICIPAL OFFICES

No A4-1067/39-40 /

Bangalore 5th April 1940

FROM

S NARAYANA RAO ESQ M A (HONS)
MUNICIPAL COMMISSIONER
Bangalore City

H.V.Narayana Rao, Esqr., B.A , LL B ,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore

I have the honour to state that there has been a progressive decline in the collections of assessed taxes till 1937-38 with the result that heavy arrears have accumulated In spite of special efforts made to collect the arrears, there was hardly 5% increase during 1938-39 Efforts are meing made to push up the percentage as high as possible during the current year In their Review on the Budget Estimates and the Administration Report of this Municipality for the years 1937-38 and 1938-39, Government have observed that collection should improve and the arrears reduced

2 The collection staff complain that coercive processes permissible under the existing Municipal Act are inadequate and that unless the defaulters are prosecuted, as it is the case in C & M Station Municipality, it may not be possible to reach the high percentage of 98% as obtained in the C & M Station In these circumstances, a proposal to add a fresh clause in this behalf in the Municipal Act was placed before the Council at their Meeting held on 16-3-1940 The subject was discussed in detail but was lost by two votes

A copy of the resolution of the Council is enclosed

enclosed for the information and orders of Government.

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with compliments
J H Regan 9/14
Honorary President.

S Nash Gale
Municipal Commissioner

Hmm
2
10/4

Minutes of the proceeding of the adjourned Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 16th March 1940 at 2 P M in the Council Chamber of the City Municipal Offices, Bangalore

---

Present

Dr M Royan M D ,

Hon President

Messrs

1 R Venkataswamy
2 N Balakrishniy ,B A LL B ,
3 D Rameswara S
4 S Krishnappa, B A ,
5 S N M Reddy
6 R V Nagarna
7 B S Shankarappa Setty
8 I K Purushotham Naidu
9 D Venkataramanappa
10 B L Bvanna

Messrs

11 M Munisw y
12 Singad Rangasw appa
13 I Gubbaiya, B A LL B
14 P I Ramasrna
15 M Krishnaswamy Pillay
16 B M Madava Rao, L M & S ,
17 M R N rasimha Iyenger
18 C L Nannaji Rao
19 Mirza Azeezulla Beig
20 Sr R I lyanamma

Absent

Messrs

1 T L Gengoji Rao
2 Belur Srinivasa Iverger,B A B L ,
3 B R Kaveti Ranjappa
4 Tubegere Nanjappa

Messrs

5 C M Gellu chi , B A ,
6 P Subbarama Chetty
7 O S Meseiulla Sheriff, M A ,LL B ,
8 B Abdur Rahman, B A ,

9 M V Chikkayellappa

Proceedings of the Meeting of Council dated 16-3-1940.

Subject No 30 -

(Deferred Subject No 48/8-2-40) Commissioner's Memo that prosecutions may be launched in cases of failure to pay assessed taxes and that Government be requested to amend the Municipal Act of 1933 suitably by the addition of a new section

Mr.B.L.Bvanna speaking on the subject said that as it is the taxes now levied are rather heavy and if the people are further burdened with prosecutions for non-payment of taxes, they would be doing a great disservice to the rate-payers and opposed the idea of prosecution for non-payment of taxes

Mr S Krisnnappa further opposing said that the arrears have been allowed to accumulate all these years and if all at once this proceedure is adopted, the defaulters will be very greatly inconvenienced He also said that under the existing Act, there were many ways of recovering the taxes, by distraint, by proceeding against the tenant when the landlord failed to pay etc , and that to further prosecute the defaulters for non-payment of taxes undesirable He said that if prompt action is taken at the beginning alone and the taxes recovered, there would not be any accumulation and there will not be any necessity for prosecutions

Mr D Rameswara Sa also opposed and said that during this period when the whole of the State was plunged in grief on account of the sad demise of the Yuvaraja, if this is forced upon the people it would be great heart burn

The Commissioner informed the House that inspite of all of their efforts for prompt recovery of the taxes, the arrears had gone on increasing that in the C & M Station where they had prosecutions the percentage of collection was above 90 while in the City it was less than 60 and that if the Executive are armed with this power, the arrears can be vastly reduced He observed that this proposal was put forth not with a view to harass the public and that even if this is approved, there won't be prosecutions on

on a large scale as one or two would be enough to bring round matters He further said that even in the Land Revenue Rules, there was scope for prosecuting the defaulters and so his -- proposal may be considered.

Mr N Balakrishnaiya supporting the Commissioner said that the opposition seems to fall back on two or three points, ie that the taxation is already heavy But the introduction of the prosecution would ~~xxtx~~ neither increase the taxation nor its absence bring down the taxation Another point urged was that sufficient returns are not being given for the taxes now levied and for this Mr N.Balakrishnaiya answered that if the money comes these matters may be attended to He also said that it was the first and foremost duty of every citizen to pay up the taxes and in the absence of this, force ~~xxtxtx~~ ought to be used and in the case of cycle tax etc., prosecution was allowed and there was no such danger as apprehended by some ~~xxpxxxxx~~ in empowering the Commissioner with this additional authority

Mr P M Rama Sarma further supporting said that if the taxes are not paid regularly the Municipality will not be in a position to attend to the civic needs of the people and that the proposal may be accepted

Mr I K Purushothama Naidu speaking next observed that it was the poor that were paying the taxes regularly and those who knew the loopholes in the Regulation were defaulting and to see that even these people cannot escape, the Commissioner had suggested this and that this may be approved

Mr S.N M Razvi observed that it was no doubt true that the arrears had accumulated but if this is introduced now to recover all those arrears, the people would be greatly -- troubled and so opposed the above

Mr K Gubbiah opposing the above said that the accumulation of arrears was due to either heaviness of the taxation or the incompetency of the collecting staff, that it was true

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that the present taxes were rather heavy and that regarding the other point, he had personal knowledge of the slackness on the part of the collecting staff He said that the fact that the rich were not paying the taxes regularly was due to the fact that proper demand from them was not being made and said that even without prosecuting the people, if the demands are made properly and in time, the collection would increase He said that this proposal was not in the interest of the ratepayers and so may not be sanctioned

Mr M Krishnaswamy Pillay further opposed it and said that this legilation would greatly inconvenience the house owners and so need not be passed

Mr M R Narasimha Iyengar supporting the Note said that the Members need not be under the apprehension that the rate payers would come under the power of the collecting staff, if this is approved, as the Commissioner will use his discretion in each individual case and decide whether to prosecute or not

Mr Mirza Azeezulla Beig opposed the Note and said that as it is there was no need for such prosecutions as there were other modes of recovering the taxes and that it was not advisable to discomfort the people

Then the subject was put to vote and lost, 3 voting for and 6 against

Mr B L Byanna demanded poll and Mr S.Krishnappa seconded

The following vote for

Messrs N Balakrishnaiya, I K Purushothama Naidu, P M Rama Sarma, M R Narasimha Iyengar, R Venkatasami, M Munisami

The following voted against

Messrs M Krishnaswamy Pillay, S N M Razvi Mirza Azeezulla Beig, K Gubbiya, D Rameswara Sa, B L Byanna S Krishnappa and Sri R Valyanamma

The result of poll was 6 For and 8 Against

"C o p y"

Sd M Royan,

HON PRESIDENT

Municipal Commissioner

MRN. 5/4

Section 186 of the Bangalore Municipal Law, relating to the recovery of taxes on buildings and land in the Civil & Military Station, Bangalore

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186 Collection of sums due to the Commission

(1) When any sum is due to the Commission from any person, either under this Law or on account of rent or other charge for a building or structure leased by the Commission to such person or otherwise in the occupation of such person under the Commission, the Commission may recover such sum in the following manner, namely,

a by causing a bill for the sum stating the nature of the demand, to be served on the person liable to pay the same, in the manner provided in section 182,

b if the sum is not paid within seven days from the service of such bill, by causing a notice of demand to be served on such person,

c. if such person does not within seven days from the service of such notice pay the sum due, with any fee leviable for the notice, or show sufficient cause for non-payment, by distraining and selling the moveable property of such person in the manner provided in the Code of Civil Procedure for the time being in force in the Station,

d. by suing such person in the Civil Court,

(2) taxes levied on buildings and lands shall subject to the prior payment of any claim on behalf of Government, be a first charge upon the said buildings or lands and upon the moveable property if any, found within or upon such building or land and belonging to the person liable for such tax,

(3) In the event of the non-payment of any tax imposed under section 41, section 42 or section 43, within seven days from the date of the service of a notice of demand in terms of clause (b) of sub-section (1) the person failing to pay such tax shall on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due

Provided that recovery by prosecution shall not be applicable to sums due on account of water consumed in excess of the sanctioned free allowance

(4) If the sum due from the owner of any house, building or

or land in respect of any rate or tax remains unpaid, after notice of demand has been duly served, the President may demand the amount from the occupier for the time being of such house, building or land, and on non-payment thereof may recover the same by distress and sale of any moveable property found on the premises and in such case the occupier may deduct from the next and following payments of his rent the amount which may be so paid or recovered from him,

Provided that no arrear of rate or tax which has remained due from the owner of any house, building or land for more than one year shall be so recovered from the occupier thereof

(5) When any sum is due to the Commission on account of rent or other charges for such building or structure as is referred to in sub-section (1) the Commission may summarily evict from such building or structure the person from whom such sum is due and any other person in occupation of such building or structure along with or as the representative of the first named person.

"Copy"

MRV

Municipal Commissioner 5/4

A4-1067/39-40 CONFIDENTIAL 6351

S NARAYANA RAO M A (HONS)
MUNICIPAL COMMISSIONER

CITY MUNICIPALITY

Dated Bangalore 15th April 1940

Dear Mr Narayana Rao,

In continuation of my letter No A4-1067 of 39-40 dated the 10th instant, forwarding the resolution of the Council declining to approve the suggestion to amend the City Municipalities Act by providing for the prosecution of defaulte of assessed taxes, I write to state that in view of the large accumulation of arrears, it is very necessary to have the power of prosecution as prevalent in the C & M Station Municipality. I therefore request that Government may be moved t add a sub-clause (102 A) in the Act as noted in the margin, after proviso to Sec 102

Yours sincerely,

S Narayana Rao

H V Narayana Rao, Esq , B A , LL B ,
Secretary to Government, Law Department,
BANGALORE

SBS
&c

102 A In the event of non-payment of any tax imposed under Sec 64 within fifteen days from ~~date from~~ the date of service of notice of demand in terms of cl 3 of Sec 95, the person failing to pay such tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due

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Appendix F G—1]

SUBJECT.

Section ml

File No 89-39

Serial No /

Diary No of letter replied to

No

To The Dpt, city mlcl, Mysore

General and Revenue Secretariat

( )

the *19*

Sir,

Date of issue

I am directed to state a proposal has been made to give effect to ~~is to propose~~ to amend the Mysore City mlties Act 1933 by the addition of a sub-clause 102A as noted in the margin hereafter providing for the prosecution of defaulters in the payment of assessed taxes and to request you to be so good as to forward your opinion in the matter at an early date

Signed by

"102A In the event of non-payment of any tax imposed under sec 64 within 15 days from the date of service of notice of demand in terms of clause 3 of sec 95, the person failing to pay such tax shall, on conviction before a magistrate, be liable to a fine not exceeding three the amount of the tax found to be due."

I have etc

E3

for Secy to Govt

Law Dept

28/5

List of enclosures

Copied by

Examined by

WD 03695- G11— 0 000—29 1 40

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 30th May 1940.

No L9939/mL 89-39-1

FROM

The Secretary to the Government of His Highness the Maharaja of Mysc
Law Department.

To

The President,
City Municipal Council, Mysore.

Sir,

I am directed to state that a proposal has been made to Government to amend the Mysore City Municipalities Act 1933 by the addition of a sub-clause 102A as noted in the margin after the proviso to section 102, providing for the prosecution of defaulters in the payment of assessed taxes and to request you to be so good as to forward your opinion in the matter at an early date.

102A. In the event of non-payment of any tax imposed under section 64 within 15 days from the date of service of notice of demand in terms of clause 3 of section 95, the person failing to pay such tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department.

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

No GT 88 / 6740

Dated 6th July 1940

FROM

M NAVANEETHAM NAIDU Esq B A B L
PRESIDENT CITY MUNICIPAL COUNCIL
MYSORE

SECY LAW DEPT 8 JULY 1940 GOVT OF MYSORE

To

H V Narayana Rao, Esq , B A ,LL B ,
Secretary to Government,
Law Department,
Bangalore

Sir,

With reference to your letter No L 9939/M1 89-39-1 dated 30th May 1940 calling for my opinion in regard to the proposal to amend the Mysore City Municipalities Act, 1933, by the addition of a Sub-clause 102 A (as noted in your letter), providing for the prosecution of defaulters in the payment of assessed taxes, I have the honour to state that in view of the fact that the powers conferred on the Municipal Council under the Act, with regard to the collection of taxes, are very limited, the accumulation of heavy arrears from year to year has become a chronic feature, inspite of strenuous efforts for the collection of the taxes In my opinion, the proposed amendment is very necessary and would be in the best interests of the Municipalit concerned I commend the proposal for favour of acceptance

I have the honour to be,

Sir,

Your most obedient servant,

President

BILL TO AMEND THE MYSORE CITY MUNICIPALITIES ACT VII OF 1933

Whereas it is expedient further to amend the Mysore City Municipalities Act, 1933, It is hereby enacted as follows -

(1) This Act may be called the Mysore City Municipalities (amendment) Act 194

Short title

(2) After Section 102 of the said Act, the following Section shall be inserted, ~~xkx~~ , namely -

Insertion of new Section 102 A in Act VII of 1933

" 102 A - In the event of non-payment of any tax imposed under Section 64, within fifteen days from the date of service of notice of demand under Clause 3 of Section 95, the person failing to pay such a tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due "

Penalty for non-payment of tax

Statement of the General Principles of the Bill to amend the Mysore City Municipalities Act 1933

The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in Chapter VIII of the City Municipalities Act 1933. It has been brought to the notice of Government that the existing provisions of law are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent. Both the Municipal Commissioner, Bangalore City and the President, Mysore City Municipal Council have stated that it is necessary to insert a provision in the Act empowering the Municipal Councils to collect the assessed taxes from defaulters by recourse to prosecution.

There is a provision of this kind in the Municipal Laws of the Civil and Military Station, Bangalore.

It is accordingly proposed to amend the Mysore City Municipalities Act, 1933 by adding a section as follows -

> "102 A. In the event of non-payment of any tax imposed under section 64, within fifteen days from the date of service of notice of demand under clause 3 of Section 95 the person failing to pay such a tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due"

TN)

GOVERNMENT BUSINESS

Statement of general principles of the bill to amend the Bangalore City Municipalities Act, 1933

THE HON'BLE MINISTER FOR GOVERNMENT (Mr. M. Veerappa Gowda) explained the general principles of the bill as follows:

GN

Member's & the Last Secretary's remarks have been appd by them

Here enter the statement of general principles as printed

It is added that the arrears in the Bangalore City Municipality were on the increase year after year while in the Bangalore Cantonment Municipality as much as 98% of the municipal demand was being collected regularly every year, it was a matter for regret that in the Bangalore City Municipality not even 50% was being collected. The arrears which stood at Rs.1,85,315 in 1934-35 had risen gradually to as much as Rs.4,40,115 in 1939-40. The municipality had committed itself to a large

large expenditure on improvement works and unless it collected the arrears it would neither discharge its loans to Government nor would be in a position to give effect to its extensive improvement programmes. It was therefore quite neces ary to give it every facility to collect its dues even in its own interest. Though the measure was of a penal nature, he pointed out that in actual practice it would not result in any hardship to the taxpayers It was a measure im calculated to benefit the City Municipalities and he hoped that the House would give its acceptance to it.

Sri. D. VENKATARAMANAYYA, in opposing the measure, said that in the cities of Bangalore and Mysore the responsibility for the collection of municipal taxes lay on the executive officers appointed by Government and he was sorry that they should have allowed so much arrears to accumulate within the last several years There already existed certain provisions in the City Municipalities Act in regard to collection of municipal dues, such as by distraining moveables and by resort to civil courts. But it was a matter for regret that they were not being availed of properly In some individual cases, they had even been misused. He knew of an instance in which for a small arrear of Rs.50 or Rs 60/- valuable properties worth Rs.700 or Rs.800 were had been brought to action and later on transferred to the names of their kith and kin But that apart, what he wished to say was that the existing provisions were quite sufficient for the realisation of the dues. There was no necessity to add another provision

Proceeding he said that it was just possible that due to trade depression and other economic factors, a large number of people found it difficul to pay their dues. There were rich people also among the defaulters. All the same the dues that were outstanding against all of them was sure to be collected sooner or later But, all on a sudden, if they were to be proceeded against criminally as proposed in the measure, it would really result in great hardship to them. Merely on the ground that such a law was in force in the C & M. Station, Bangalore, there was no need to introduce it in the City also

Also, recourse to a penal action for the collection of the local tax would not redound to the credit of a State which had earned the name of Ramarajya For all these reasons, he requeste the Government to withdraw the bill

Mr J I BYNDA agreed with the previous speaker that the accumulation of arrears in the municipality was entirely due to the neglect on the part of the executive officers in respect of collection work Th se officers were appointed by Government Further, the municipal council had no executive functions to discharge. He had been a member of the municipal council continuously for the past several years and as such he had full knowledge of the affairs in the municipality Till about 6 or 7 years ago, th collections used to com to 80% It was only since then they have gone dow to 50%. Sometime ago the City Municipal Commissioner brought forward before the Municipal Council a proposal to recover the municipal arrears by recourse to coercive processes But

it was voted down by the Council by a majority. The Municipal Commissioner then seemed to have written to Government in the matter. The Kyrore City Municipality also seemed to have followed suit. That seemed to be the reason why the Government had proposed the measure But the point to be considered was that the difficulty the executive officers had in the matter of collecting the dues promptly It seemed to him that one such difficulty was that a large number of alienations had been made of the house properties without the necessary transfer entries being made in the Rhates concerned Six years back there was a revision of house assessment. In about 300 cases it was difficult to find out who the actual owners of the houses were. No proper investigation seemed to have been made so far in respect of this matter To many a question of his in the City Municipal Council on the above subject, and also in respect of collecting the arrears, he did not get any convincing replies. From his experience of the Municipal Council for the past several years, he had no hesitation in saying that the executive officers of the municipality should be held responsible for the present unsatisfactory state of affairs. The existing law had sufficient provisions to ensure prompt recovery of taxes. There was no necessity for the addition of another provision in the law He had no doubt that if the executive functions were vested in the municipality it was sure to show much better progress in the matter of collections. He desired that the experiment might be tried for some time and that if the Municipal Council failed to come

come up to expectations he had no objection to the Government then bringing for ard the proposed measure. He was of opinion that treating the non-payment of municipal dues a criminal offence was unnecessary. Besides the time allotted for payment was only 15 days from the date of service of the demand notice This was too short a period Some of the holders would be absent from station and in their cases it might act as a great hardship For these reasons, he requested the Government to withdraw the bill

✓ At this stage, the SECOND DEPUTY CHAIRMAN (Rajamantrapravina V Anantaraman) observed that before the subject was discussed further he would like to place before the House a few facts with a view to help the members to understand the reasons why the measure had been proposed. He pointed out that Government did not take any initiative in the matter The Bangalore City Municipality made a suggestion in this behalf to the Government and the Government after detailed examination of the various aspects of the case had proposed the measure

Mr. B.L. BYANNA interrupting, said that the Municipal Council did not agree to the proposal and therefore it could not be suggested that the municipality had something to do with the proposal under discussion.

✓ Mr A.V ANANTARAYAN replied that he had a copy before him of the proceedings of the Municipal Council on the subject, a perusal of which would amply bear out his statement In support of the proposal before the Municipal Council, the Municipa

Commissioner had stated therein that the proposition seemed to have been voted down by the municipality for two or three reasons only. The first was that taxation was already heavy. But the Commissioner had met that point by saying that neither the adoption of prosecution as a coercive measure would increase taxation nor for its absence would not bring down taxation. The other reason urged was that the tax payers were not getting sufficient return at present for the taxes they were paying This point too had been met by saying that if the monies due to the municipality had been realised, the improvements that the taxpayers desired could be effected. The Commissioner had also pointed out that it was the first and foremost duty of every citizen to pay up the tax due by him voluntarily and that in the absence of it steps must be taken to collect the dues promptly On this one member of the council seemed to have stated that it was generally the rich that failed to pay the dues and that the municipality could not take action against them for obvious reasons Thereafter, when the proposal was put to the vote, eight members were against it and six were for it From this it was clearly apparent that all the six members who too part in the discussion supported the resolution Hence the Commissioner thought it right to send up the proposal to the Government for taking the necessary action Therefore it was plain that the Government had no hand in taking initiative in the matter.

Secondly, for the past few years, not even 50, of the demand was being collected every year The existing rules in respect of the recovery of municipal dues seemed to be wanting in some

some respects. Poor people generally paid their dues, but the difficulty was with the rich people. Some of them seemed to have to pay large amounts of arrears. In some cases the arrears ranged up to Rs 1000 or more When the Chanbhogs went to their houses for collecting, the defaulters ~~used to~~ evaded payment by making all sorts of pleas As they were rich men, the Chanbhogs ~~had~~ hesitated to take drastic action to collect the dues Unless the defaulters were proceeded against in a civil court there was no hope of getting the moneys due But every one knew very well how long it would take in a civil court before the case was disposed of Hence the necessity had arisen for the inclusion of the provision in the municipal law.

The proposed measure was after all in the interests of the municipality itself It had borrowed large sums of money from the Government, having committed itself to big items of expenditure It would be well if it has this power so that its dues might be collected with facility and also it might be enabled to carry out its improvement works, besides paying back the loans to Government.

In conclusion, the speaker said that no one need entertain any fear that the measure would operate unduly harshly against the taxpayer Such of those who paid their dues regularly -- and under this category came the poor people -- had nothing to be afraid of It was intended to be applied only in the case of those defaulters who could afford to pay ~~xxxxxxxxxxxxxxxxxx~~ but evaded payment He hoped that the members would consider these points and give their support to the measure.

Mr T. ASWATHANARAYANA RAO heartily welcomed the measure for the following reasons -

It had been conceived with the best of motive It would awaken the civic consciousness among the taxpayers, because the e was the element of compulsion and fear of being fined before a Magistrate. It was therefore salutary in its nature

When the municipal dues are regularly came to the municipal exchequer, there would be no occasic for the municipality to levy additional taxes, like the Profession tax that had been now levied.

As generally the poor paid their dues promptly, they need have no fear by the measure

The proposed measure was no innovation in the history of local laws. Such penal provision existed in several other local laws of the land and they had not created any hardship to the gen rality of people. For instance, if the consumer of electrical energy failed to pay electrical charges due by him within a certain date, the service was liable to be cut off and the person concerned had to pay a fine of one rupee for reconnection. On account of this penal provision, the lectrical Department had been getting its revenue regularly. It could not be said that the consumer was being put to hardship by the mere exis ence of the penal provision There was therefore nothing wrong in principle to have a penal provision in the municipal law too.

Lastly, the proposed provision should not be considered as involving any moral turpitude of th defaulter Even Lord Curzon was said to have be fined once for violating the Traffic rules. Every one, rich or poor, must respect the law of the land and any punishment inflicted for infringement of such law could not be construed as involving moral turpitude. For all the ete reasons, the speaker requested the Government to take up the matter very seriously and introduce similar provisions in the Town Municipalities Act also. With these words he supported the measure

Mr MAYI GOWDA agreed that unles the dues were collected promptly, no improvement works could be undertaken by the municipality. But he seriously doubted whether the proposed measure was at all necessary for that purpose It seems to him that the existing provisions were quite enough but that they were not being fully enforced by the executive officers He had no manner of doubt that if only the procedure contemplated in the existing rules was adopted strictly, irrespective of the ~~xxxx~~ status of a taxpayer, all the dues were capable of being collected promptly. He pointed out that, as the First Member of Council was aware, the Karnur Municipality was able to collect all its dues within three months by strictly enforcing the provisions of the existin rules themselves.

Mr. K.V. ANANTARAMAN pointed out that there was nothing wrong in having a provision of the kind suggested For example, there was a penal provision in the octroi rules but it had not been availed of on any single occasion

Mr Bhupalam R. CHANDRASEKHARAIYA stated that from the speech of the Law Secretary, it was evident that the arrears had accumulated to Rs 4 lakhs odd and that the Municipality was finding it difficult to realise the same. Such being the case, he was at a loss to understand as to how the Municipality could collect the already out-standing arrears and a similar sum by way of fine that may be imposed by the Courts.

The SECOND MEMBER (Rajamantrapravina K.V Anantaraman) observed that the data on which the Member based his argument viz , that every one would be prosecuted and fined, was wrong

Mr J VENKATASIAH stated that he was on the Mysore City Municipal Council for a good number of years, and that speaking from personal knowledge of things, the real causes for arrears were quite different Even in this Municipality heavy arrears had accumulated in the past and an earnest attempt was made to find out the cause for the same The accounts from the year 1922-2 were examined. A detailed examination exposed the fact that neither accounts nor Khates were correctly maintained In the absence of correct accounts, a doubt arose as to whether the demand was justified or not A special establishment with an auditor was sanctioned to investigate in the details This investigation brought to light that as much as Rs 76,000 was wrong demand, and if the Municipality had tried to collect it, it should have failed miserably The accounts were at once rectified Even after this, there

used to be arrears to the extent of 1.75 lakhs. When Mr T.G. Rama Iyer was the President of the Municipality, about 800 suits were filed against defaulters in the Civil Courts. As much as 98% of the cess weredisposed of within 3 months, but there were difficulties in executing the decrees, because the Khates were not properly maintained. Encumbrances certificates had to be obtained and other formalities had to be observed. As a result of the effective steps taken by the Municipality the dues have been recovered from 80 of the people against whom decrees had been obtained. When notices were issued to the parties about the sale of their houses, some paid the dues and took possession of their properties and others promised to give the Municipality the dues, the Court Fees and the interest and the municipality stopped taking further action. Only 13 houses were auctioned last year and 6 during the present year for recovering the dues.

So if the Executive and the Managing committee of the Municipality worked in close co-operation he did not think there would be any scope for the accumulation of arrears. Nothing would be gained by launching cases against them in Magistrates Courts. That was not the remedy for present ailment. The Municipal councillors should not feel that they were there to exercise some authority. But on the other hand they should take personal interest in their work and work in a missionary spirit. That was what was done in Mysore when the system of flush latrines was introduced in Mysore. From house to house

the Councellors went and insisted upon the people to put up such latrines. With very few exceptio all of them did so when the pressure was brought to bear on them and later on they had occasion to thank us for the convenience it afforded. The defaulters could have been prosecuted , but the municipality avoided that course and persuaded th people to fall in line with others.

Continuing he said that some years back the number of distraint warrants had increased enormo sly, the number having gone up to the extent of 400. The reason for this was investigated and it was found that this was due to good understanding between the Revenue officer and the Mutsaddis. The Councillors brought about harmonious feelings between them and dues had been collected. There was some difficulty in the matter of collection in 2 Mohallas in Mysore and this was due to accounts not being maintained properly. If this was rectified, there would be no arrears in Mysore city Municipality.

So a certain amount of personal interest in the work and persuasion on the part of Municipal Councillors would solve many difficulties in regard to municipal areas

Another point was that the bills were not served in proper time At present they were sent out in January , and that was the reason why money could not be collected in proper time. If they were issued in July collection works could be facilitated.

Without doing this to ask for a penal provision was not justified. Until such time as

civic consciousness ~~grows~~ grew in the minds of the people, the municipal councillors would do well to take some personal interest in the matter of collections. If this was done, there was every likelihood of the entire demand being collected.

With these remarks he requested that the measure be taken back.

Rao Sahib M. RAMASWAMY felt that the method of collecting taxes proposed in the measure seemed to him to be a novel one. He was of opinion that the existing provisions of the law were quite enough for the prompt collection of taxes. He quite agreed with the statement that while the poor paid all their dues promptly, the well-to-do evaded payment. The reason for that lay in the fact that the revenue officers themselves hesitated to take action against them. If notices were issued to them also, he was sure that they would pay off their dues. There was also another reason why the collection work was in arrears. Various other ~~xxxx~~ duties were being tacked to them and they could not possibly bestow full attention on their legitimate duties. For example at present Shanbhogs were engaged in census work and they could not devote any attention to collection.

Mr. K.V. ANANTARAMAN observed that census work was only once in 10 years and they must do it according to rules. They must also do other work entrusted to them.

Continuing Mr. RAMASWAMY said that all thes

additional duties would tend to make ~~him~~ them neglect ~~his~~ their legitimate duties because it would not be possible for them to attend to all and discharge the same satisfactorily. In the Revenue Department, it was no wonder that nearly 98% of the taxes were promptly collected, because the Amildars and other revenue officers devoted their entire attention for collection work. He could not understand as to why if the Municipal authorities did the same in the cities also, the demand should not be collected in full. If only the Municipal authorities devoted better attention towards the collection of taxes, there would not be any difficulty at all The proposed measure was sure to result in great harm to the people.

With these remarks he opposed the measure.

Mr. S. RAMAPPA stated that if statistics showing the number of distraint warrants issued and executed on the defaulters were collected and examined, it would be clear that the authorities concerned had not properly exercised even the existing powers vested in them. If the municipal authorities after exercising all the existing provisions of the law failed to collect their dues, then would be the time for them to tak for additional powers. On the other hand there were so many instances where those who could afford to pay were evading payment of taxes and no action under the existing provisions had been taken against them. He had no objection to making municipal tax a primary charge on the property. He felt that

their dues. Without money no improvement work was possible of being undertaken. The proposed provided for a penal clause and just as in many other laws of the country. All the same they were not applied at all. They were intended to create a fear in the minds of the people that any breach of law on their part would make them liable for punishment. It was with that object that the amendment had been proposed. Unless there was such a statutary provision, it was not possible to collect the municipal dues promptly.

As had already been pointed out it was the rich that evaded payment and as such this would be applied in their cases and not in the case of the poor who need not be afraid of any such provision at all, because they were paying their dues regularly The proposed measure was absolutely necessary. If however it was considered that the period of 15 days now fixed for the payment of the dues from the date of the issue of notice was considered very short, it might be increased to a month. By introducing the proposed measure he thought that the system of shanbhogs collecting taxes might be done away with . Merely because it had not been found possible to collect the arrears enforcing the existing law, power was proposed to be taken to launch cases before magistrates. The measure was a wholesome one and should be introduced without any delay

Mr. K.V. ANANTARAMAN assured the members that it was not the object of Government to put the people to unnecessary trouble. For

many reasons collection of taxes was not quite satisfactory, in spite of the fact that additio establishment was sanctioned for the purpose. was a well known fact that without funds no improvement work could be undertaken. The members need have no fear that this provision would be ~~of~~ enforced in all cases. Before ~~cases~~ cases were filed in the Magistrate's Court, the Managing Committee of the Municipality would discuss the necessity or otherwise for such a course. For these reasons he hoped that the ~~House~~ members would accept the general principles of the measure before the House.

Thereupon the general principles of the bill were put to vote and lost 17 voting for and the majority of the House voting against.

Statement of the General Principles of the Bill to amend the Mysore City Municipalities Act 1933.

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The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in Chapter VIII of the C. Municipal Act 1933. It has been brought to the notice of Government that the existing provisions of law are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent Both the Municipal Commissioner, Bangalore City and the President, Mysore City Municipal Council have stated that it is necessary to insert a provision in the Act empowering the Municipal Councils to collect the assessed taxes from defaulters by recourse to prosecution.

There is a provision of this kind in the Municipal Laws of the C & M Station, Bangalore.

It is accordingly proposed to amend the Mysore City Municipalities Act, 1933 by adding a section as follows -

" 102 A In the event of non-payment of any tax imposed under section 64, within fifteen days from the date of xxxx service of notice of demand under clause 3 of Section the person failing to pay such a tax on conviction before a Magistrate, liable to a fine not exceeding twice the amount of the tax found to be due".

STATEMENT SHOWING THE DEMAND, COLLECTION AND BALANCE UNDER ASSESSED TAXES IN THE CITY MUNICIPALITIES OF BANGALORE AND MYSORE FOR THE FOLLOWING YEARS.

Year.	Total Demand. Rs.	Collection. Rs.	Balance. Rs	Balance Rs
		Bangalore City		
1934-35	5,33,898	3,47,983	1,85,915	
1935-36	5,96,611	3,74,835	2,21,776	
1936-37	6,48,902	3,62,136	2,86,706	
1937-38	7,52,668	3,57,306	3,95,362	
1938-39	8,77,768	4,48,653	4,29,115	
1939-40			4,30,358	(1-2-40)
		Mysore City.		
1934-35	4,24,967	2,48,834	1,68,524	
1935-36	4,56,902	2,42,716	2,14,186	
1936-37	4,40,608	2,57,008	1,83,600	
1937-38	4,47,386	2,70,481	1,76,905	
1938-39.	4,66,336	3,12,087	1,54,249	
39-40.			1,29,045.	

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STATEMENT SHOWING THE DEMAND, COLLECTION AND BALANCE UNDER [illegible] IN CITY MUNICIPALITIES OF BANGALORE AND MYSORE FOR THE FOLLOWING YEARS

Year.	Total Demand. Rs.	Collection. Rs.	Balance. Rs.	Remarks
Bangalore City				
1934-35	5,33,898	3,47,983	1,85,915	
1935-36	5,96,611	3,74,835	2,21,776	
1936-37	6,48,902	3,62,136	2,86,706	
1937-38	7,52,668	3,57,306	3,95,362	
1938-39	8,77,768	4,48,653	4,29,115	
1939-40			4,30,325	(1-7-40)
Mysore City				
1934-35	4,24,967	2,48,834	1,63,524	
1935-36	4,56,902	2,42,716	2,14,186	
1936-37	4,40,608	2,57,008	1,83,600	
1937-38	4,47,336	2,70,481	1,76,905	
1938-39	4,66,376	3,12,087	1,54,245	
1939-40			1,79,045	

ಮೈಸೂರು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆ

ದಸರಾ ಅಧಿವೇಶನ—ಅಕ್ಟೋಬರ್ 1940

ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯವರ ಪರಾಮರ್ಶೆಗಾಗಿ ಒಪ್ಪಿಸತಕ್ಕ ಸರ್ಕಾರಿ ಕಾರ್ಯಕಲಾಪಗಳ ವಿವರ

1 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ನಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ರಚಿತವಾದ ವಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ

ನಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ರರಾವಾಗಿರತಕ್ಕ ತೆರಿಗೆಗಳನ್ನು ವಸೂಲ್ಮಾಡುವುದಕ್ಕಾಗಿ ಈಗ ಆಚರಣೆಯಲ್ಲಿರುವ ನಡೆವಳಿಕೆಯ ಕ್ರಮವು 1933ನೆಯ ಇಸವಿಯ ನಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟಿನ VIIIನೆಯ ಅಧ್ಯಾಯದಲ್ಲಿ ವಿಧಾಯಕವಾಗಿದೆ ಈ ತೆರಿಗೆಗಳನ್ನು ನಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ಶೀಘ್ರವಾಗಿಯೂ ಮತ್ತು ಪೂರ್ತಿಯಾಗಿಯೂ ವಸೂಲ್ಮಾಡುವುದಕ್ಕೆ ಈಗಿರತಕ್ಕ ಕಾನೂನಿನ ನಿಯಮಗಳ ಮೇರೆಗೆ ಅವರಿಗೆ ಸಾಕಾದಷ್ಟು ಅವಕಾಶವು ಕಲ್ಪಿತವಾಗಿಲ್ಲ ವೆಂಬ ಅಂಶವು ಸರ್ಕಾರದವರ ಗಮನಕ್ಕೆ ತರಲ್ಪಟ್ಟಿದೆ ವಿಧಿಸಲ್ಪಟ್ಟ ತೆರಿಗೆಗಳನ್ನು ಕೊಡದೆ ತಪ್ಪಿದವರಿಂದ ಅವರ ಮೇಲೆ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ವ್ಯವಹಾರಣೆಯನ್ನು ನಡೆಸಿಕೊಳ್ಳುವುದರ ಮೂಲಕ ಅವುಗಳನ್ನು ವಸೂಲ್ಮಾಡುವುದಕ್ಕೆ ನಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ಆಕ್ಟಿನಲ್ಲಿ ಅವಕಾಶಕಲ್ಪಿಸುವ ಒಂದು ನಿಯಮವನ್ನು ಸೇರಿಸುವುದು ಆವಶ್ಯಕವೆಂದು ಬೆಂಗಳೂರು ನಟಿ ಮುನಿಸಿಪಲ್ ಕಮಿಷನರವರೂ ಮತ್ತು ಮೈಸೂರು ನಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಪ್ರೆಸಿಡೆಂಟರವರೂ ತಿಳಿಸಿದ್ದಾರೆ

ಬೆಂಗಳೂರು ದಂಡಿನ ಪ್ರದೇಶದಲ್ಲಿ ಆಚರಣೆಯಲ್ಲಿರುವ ಮುನಿಸಿಪಲ್ ನಿಬಂಧನೆಗಳಲ್ಲಿ ಈ ಬಗೆಯ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ

ಆದಕಾರಣ 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ನಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡಿ ಅದಕ್ಕೆ ಒಂದು ಪ್ರಕರಣವನ್ನು ಹೊಸದಾಗಿ ಸೇರಿಸಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ ಆ ಪ್ರಕರಣವು ಯಾವುದೆಂದರೆ —

'102–A ಈ ಆಕ್ಟಿನ 64ನೆಯ ಪ್ರಕರಣದ ವೇರೆಗೆ ವಿಧಾಯಕವಾದ ಯಾವುದಾದರೂ ತೆರಿಗೆಯನ್ನು ಕೊಡಬೇಕೆಂದು 95ನೆಯ ಪ್ರಕರಣದ (3)ನೆಯ ಒಳಪ್ರಕರಣದ ಮೇರೆಗೆ ಒಂದು ತಗಾದೆ ನೋಟೀಸು ಜಾರಿಯಾದ ತಾರೀಖಿನಿಂದ ಹದಿನೈದು ದಿನಗಳೊಳಗಾಗಿ ಅದು ಕಟ್ಟಿಸಲ್ಪಡದೆ ಹೋದಲ್ಲಿ ಆ ತೆರಿಗೆಯ ಹಣವನ್ನು ಕೊಡದೆ ತಪ್ಪಿದಾತನು ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರವರಿಂದ ತಪ್ಪುನಾಬಿ ತಾದಲ್ಲಿ ಆತನಿಂದ ಪಾವತಿಯಾಗಬೇಕಾಗಿರತಕ್ಕ ತೆರಿಗೆಯ ಮೊತ್ತದ ಎರಡರಷ್ಟಕ್ಕೆ ವಿಾರದಂತಿರುವಷ್ಟು ಮೊಬಲಗಿನ ಜುಲ್ಮಾನೆಯನ್ನು ಕೊಡಲು ಒದ್ಧನಾಗಿರತಕ್ಕದ್ದು'

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2 ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ

ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವು ಹರಡಬೇಕಾದುದು ಅಗತ್ಯ ಸಮಾಜದಲ್ಲಿ ಕಾರ್ಯದಕ್ಷತೆಯು ಹೆಚ್ಚುವುದಕ್ಕೂ ಸಂಪದಭಿವೃದ್ಧಿಯಾಗವುದಕ್ಕೂ ಅದರಿಂದ ಸಾಧಕ ಜನಗಳು ಕಳಿವಳಿಕೆಯನ್ನು ಹೆಚ್ಚು ಮಾಡಿಕೊಂಡು ಜೀವನ ವಿಧಾನದಲ್ಲಿ ಮೇಲ್ಮೆಯನ್ನು ಪಡೆಯುವುದಕ್ಕೂ ಅದರಿಂದ ಸಾಧಕ ಆದಕಾರಣ ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಹೆಚ್ಚಾಗಿ ಪ್ರಚಾರಗೊಳಿಸುವುದು ಆವಶ್ಯಕವೆಂಬ ಅಂಶವು ಬಹಳ ಕಾಲದಿಂದಲೂ ಅಂಗೀಕೃತವಾಗಿದೆ ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಯೋಜನವು ಸರ್ವರಿಗೂ ಲಭಿಸುವಂತೆ ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದವರ ಧ್ಯೇಯವಾಗಿದೆ ಆ ಧ್ಯೇಯವು ನೆರವೇರುವುದಕ್ಕೆ ಸಾಧಕವಾಗಿ ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಹರಡುತ್ತಾ ಬಂದು ಅಭಿವೃದ್ಧಿಗೊಳ್ಳುವುದಕ್ಕೆ ತಕ್ಕ ಏರ್ಪಾಡು ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದವರ ಕಾರ್ಯನೀತಿಯಾಗಿದೆ ಅದೇ ಅವರ ಕಾರ್ಯನೀತಿಯೆಂಬುದನ್ನು ಸರ್ಕಾರದವರು ಸ್ಪಷ್ಟಪಡಿಸಿಯೇ ಇದ್ದಾರೆ ಈ ಉದ್ದೇಶವನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರದವರು ಈ ಕೆಲಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಎಲ್ಲ ಏರ್ಪಾಡಗಳಲ್ಲಿಯೂ ಮತ್ತು ಕಾರ್ಯಕ್ರಮಗಳಲ್ಲಿಯೂ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳು ತಮ್ಮೊಡನೆ ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಸೇರಿ ಕೆಲಸಮಾಡುವಂತೆ ಆಗಿಂದಾಗ್ಗೆ ಅವಕಾಶಕಲ್ಪಿಸುತ್ತಾ ಬಂದಿದ್ದಾರೆ

ಸರ್ಕಾರದವರು ಅನುಸರಿಸಿಕೊಂಡು ಬಂದ ಈ ಕಾರ್ಯನೀತಿಯನ್ನು ಅತ್ಯಂತವಾಗಿ ಮುಂದುವರಿಸಿದುದರ ಪರಿಣಾಮವಾಗಿ 1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಾನೂನು (ಎಲಿಮೆಂಟರಿ ಎಜುಕೇಷ್ ಆಕ್ಟು) ಮಂಜೂರಾಗಿ ಜಾರಿಗೆ ಬಂದಿತು ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡ್‌ಗಳೇ ಮುಂತಾದ ಸ್ಥಳೀಯ ಪ್ರಜಾಧಿಕಾರ ಸಂಸ್ಥೆಗಳಿಗೇ ಆಯಾ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶಗಳಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಏರ್ಪಾಡುಮಾಡುವುದನ್ನೂ ಮತ್ತು ಅದರ ಆಡಳಿತ ನಡೆಯಿಸುವುದನ್ನೂ ಸರ್ಕಾರದವರು ಆ ಆಕ್ಟಿನ ಪ್ರಕಾರ ಸಂಪೂರ್ಣವಾಗಿ ವಹಿಸಿಕೊಟ್ಟರು ಎಂಟು ಡಿಸ್ಟ್ರಿಕ್ಟುಗಳಲ್ಲಿಯೂ ಎಂಟು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು ಏರ್ಪಟ್ಟುವು (ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡ್‌ಗಳೇ ಈ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು) ಮತ್ತು ನಾಲ್ಕು ಪಟ್ಟಣಗಳಲ್ಲಿ ಟೌನ್ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು ಏರ್ಪಟ್ಟುವು (ಆಯಾ ಮುನಿಸಿಪಾಲಿಟಿಗಳೇ ಈ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು) ಆಯಾ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯವರ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿನ ಎಲ್ಲ ಸರ್ಕಾರಿ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಮತ್ತು ಸರ್ಕಾರದಿಂದ ಸಹಾಯದ್ರವ್ಯವು ದೊರಯುತ್ತಿದ್ದ ಏಯ್ಡೆಡ್ ಸ್ಕೂಲುಗಳ ಆಡಳಿತಾಧಿಕಾರವನ್ನೂ ವಹಿಸಿತು ಆ ಸ್ಕೂಲುಗಳ ಸಿಬ್ಬಂದಿ, ಕಟ್ಟಡಗಳು ವಹಿಸಲಕರಣೆ ಸಾಮಗ್ರಿಗಳ ಮೇಲೆ ಮುಂತಾದುವುಗಳ ಮೇಲೂ ಹತೋಟಿಯ ಅಧಿಕಾರವನ್ನೂ 1931ನೆಯ ಇಸವಿ ಜುಲೈ ಒಂದನೆಯ ತಾರೀಖಿನ ದಿವಸಾಗಾಯಿತು ಆಯಾ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಿಕೊಡಲಾಯಿತು ಈ ಸಂಸ್ಥೆಗಳವರು ಅವರ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಗೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿರುವ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಕೆಲಸವು ಅಚ್ಚುಕಟ್ಟಾಗಿ ನಡೆಯುವಂತೆ ಮಾಡುವುದು ಹೊಸ ಹೊಸ ಪ್ರೈವೇಟ್ ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸುವುದು ಮತ್ತು ಪ್ರೈವೇಟ್ ಸ್ಕೂಲು ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಉತ್ತಮಪಡಿಸುವುದು ಈ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಜವಾಬ್ದಾರರಾಗಿರಬೇಕೆಂದು ವಿಧಾಯಕವಾಯಿತು ಪ್ರತಿಯೊಂದ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯವರಿಗಾಗಿಯೂ ' ಎಲಿಮೆಂಟರಿ ಎಜುಕೇಷ್ ಫಂಡ್ ' ಎಂಬ ಹೆಸರಿನ ಒಂದೊಂದು ನಿಧಿಯನ್ನು ಏರ್ಪಡಿಸಲಾಯಿತು ಆ ನಿಧಿಗಳಿಗೆ ಸರ್ಕಾರದವರು ಸಂಸ್ಥಾನದ ಹುಟ್ಟುವಳಿಯಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ವೆಚ್ಚಕ್ಕಾಗಿ ಒದಗಿಸಬೇಕಾಗಿದ್ದ ಹಣವನ್ನೂ ಮತ್ತು ವಿದ್ಯಾಭ್ಯಾಸದ ಸೆಸ್ಸಿನ ವಸೂಲಿಯಿಂದ ಬರತಕ್ಕ ಹೊಲಗುಗಳನ್ನೂ ವರ್ಗಾಯಿಸಿ ಕೊಡಲಾಯಿತು

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟು ಜಾರಿಗೆ ಒಂದ ತರುವಾಯ ಒಂದು ವರ್ಷದೊಳಗಾಗಿ ಈ ಸಂಸ್ಥೆಗಳವರು, ನಿರ್ಬಂಧವಿಲ್ಲದ ರೀತಿಯಲ್ಲಿ, ಪ್ರಾಥವಿಕ ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರಕ್ಕಾಗಿ ಕೈಕೊಳ್ಳಬೇಕಾದ ಒಂದು ಕಾರ್ಯಕ್ರಮವನ್ನು ರಚಿಸಿ ಒಪ್ಪಿಸಬೇಕೆಂದು ವಿಧಾಯಕವಾಯಿತು ಪ್ರೈವೇಟ್ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಪಡೆಯುವುದಕ್ಕಾಗಿ ಸ್ಕೂಲುಗಳಿಗೆ ಹೋಗಬಹುದಾಗಿರತಕ್ಕ ವಯಸ್ಸು, ಆರು ವರ್ಷಗಳಿಗೆ ಕಡಮೆಯಿಲ್ಲದಯೂ ಹನ್ನೆರಡು ವರ್ಷಗಳಿಗೆ ಹಚ್ಚಿಲ್ಲದೆಯೂ ವಯಸ್ಸುಳ್ಳವರಾಗಿರತಕ್ಕ ಎಲ್ಲ ಬಾಲಕ ಬಾಲಕಿಯರಿಗೂ ಸಾಕಾದಷ್ಟು ಸಂಖ್ಯೆಯ ಸ್ಕೂಲುಗಳನ್ನು ಹತ್ತು ವರ್ಷಗಳಿಗೆ ಮೀರದ ಒಂದ ಅವಧಿಯೊಳಗಾಗಿ ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗುವ ರೀತಿಯಲ್ಲಿ ಆ ಕಾರ್ಯಕ್ರಮ ವಿವರವನ್ನು ಆ ಸಂಸ್ಥೆಗಳವರು ತಯಾರಿಸುವಂತೆಯೂ ವಿಧಾಯಕವಾಗಿದ್ದಿತು ಅಲ್ಲದೆ ಆಯಾ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶಗಳಲ್ಲಿ ಆರು ವರ್ಷಗಳಿಂದ ಹತ್ತು ವರ್ಷಗಳ ವಯಸ್ಸಿನೊಳಗಿರತಕ್ಕ ಎಲ್ಲ ಮಕ್ಕಳಿಗೂ ನಿರ್ಬಂಧಕವಾಗಿ ವಿದ್ಯಾಭ್ಯಾಸವನು ನಡೆಯಿಸುವುದಕ್ಕ ಸಾಧಕವಾದ ಒಂದು ಕಾರ್ಯಕ್ರಮದ ವಿವರವನ್ನು ಆ ಸಂಸ್ಥೆಗಳವರು ಹತ್ತು ವರ್ಷಗಳ ಕಾಲದೊಳಗಾಗಿ ಸರ್ಕಾರಕ್ಕೆ ಒಪ್ಪಿಸಬೇಕೆಂಬುದಾಗಿಯೂ ಸಹ ವಿಧಾಯಕವಾಗಿದ್ದಿತು

1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟನ್ನು ಸಾದರು ಮಾಡಿದಾಗ್ಗೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತಾಧಿಕಾರವನ್ನೂ ವಹಿಸಿ ಜವಾಬ್ದಾರಿಯನ್ನೂ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಿಕೊಡುವುದರಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕ್ಕೆ ಒಹುವಷ್ಟಿನ ಉತ್ತೇಜನವು ದೊರೆಯುವುದೆಂದ ಸರ್ಕಾರದವರು ನಿರೀಕ್ಷೆಯನ್ನಿಟ್ಟುಕೊಂಡಿದ್ದರು ಆದರೆ ಆ ನಿರೀಕ್ಷೆಯು ನೆರವೇರಿರುವುದಿಲ್ಲ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟು ಮಂಜೂರಾಗಿ ಈಗ ಸ್ವಲ್ಪ ಹಚ್ಚು ಕಡಮೆ ಹತ್ತು ವರ್ಷಗಳು ಕಳೆದಿದ್ದಾಗ್ಗೂ ಕೂಡ ಪ್ರೈವೇಟ್ ಸ್ಕೂಲುಗಳ ಸಂಖ್ಯೆಯಾಗಲೆ ಅಥವಾ ಅವುಗಳಲ್ಲಿ ವ್ಯಾಸಂಗ ಮಾಡುವ ಬಾಲಕಬಾಲಕಿಯರ ಸಂಖ್ಯೆಯಾಗಲಿ ಅಪೇಕ್ಷೆಯನ್ನು ಗಣನೀಯವಾದಮಟ್ಟಿಗೆ ಹೆಚ್ಚಿಲ್ಲ ಈ ರೀತಿ ನಿರಾಶಾಜನಕವಾದ ಫಲಿತಾಂಶ ಉಂಟಾದುದಕ್ಕ ಅನೇಕ ಕಾರಣಗಳಿವೆ ಎಂತೆ ತೋರುತ್ತದೆ ಆ ಪೈಕಿ ಅತ್ಯಂತ ಮುಖ್ಯವಾದ ಕಾರ್ಯವೆಂದರೆ ತಕ್ಕಷ್ಟು ಹಣದ ಅನುಕೂಲವಿಲ್ಲದಿರುವುದು ಜನಗಳ ಮೇಲೆ ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದು ಜನಗಳಿಗೆ ಸಮ್ಮತವಿಲ್ಲವೆಂದು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ಅಭಿಪ್ರಾಯವಿದೆ ಅದರಲ್ಲಿಯೂ ವಿಶೇಷವಾಗಿ ವ್ಯವಸಾಯಗಾರರಿಗೆ ಮಾಗ್ಗಟ್ಟಿನ ಸ್ಥಿತಿಯೊದಗಿರತಕ್ಕ ಮತ್ತು ಸಾರ್ವತ್ರಿಕವಾಗಿಯೂ ವಿಶೇಷವಾಗಿ ಮಾಗ್ಗಟ್ಟಿನ ಸ್ಥಿತಿಯೊದಗಿರತಕ್ಕ ಈಗಿನ ಸಮಯದಲ್ಲಿ ಹೊಸ ತೆರಿಗೆಯನ್ನ ವಿಧಿಸುವುದರಿಂದ ಜನಗಳ ವಿಶ್ವಾಸವನ್ನು ತಾವು ಕಳೆದ ಕೊಳ್ಳುವಂತಾಗುವುದೆಂದೂ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಭಾವಿಸಿರುವಂತಿದೆ ಅಲ್ಲದೆ ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರದ ಏರ್ಪಾಡುಗಳನ್ನು ನಡಯಿಸಲು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಯಾವ ಕಾರ್ಯಕ್ರಮವನ್ನೂ ಕೈಕೊಳ್ಳದ ತಪ್ಪಿದಲ್ಲಿ ಸರ್ಕಾರದವರೇ ಆ ಕಾರ್ಯಕ್ರಮವನ್ನು ಕೈಕೊಳ್ಳಲು 1930ನೆಯ ಇಸವಿಯ ಆಕ್ಟಿನಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಿ ನಿಯಮಗಳನ್ನೇರ್ಪಡಿಸಲಾಗಿದೆ ಆದೂ ಸಹ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಈ ವಿಚಾರದಲ್ಲಿ ಉದಾಸೀನರಾಗಿ ಮುಂದೇನಾಗುವುದೋ ನೋಡೋಣವೆಂತ ಅಲಸ್ಯಭಾವದಿಂದಿರಲು ಒಹುಮಟ್ಟಿಗೆ ಕಾರಣವಾಗಿದೆ

ಈ ಒಗದ ಪರಿಸ್ಥಿತಿಯನ್ನು ಹೋಗಲಾಡಿಸಬೇಕಂಬ ಉದ್ದೇಶದಿಂದ ಸರ್ಕಾರದವರು 1937ನೆಯ ಇಸವಿಯಲ್ಲಿ ಒಂದು ಸಮಿತಿಯನ್ನು ನೇಮಕಮಾಡಿದರು ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕಾರ್ಯವು ಹಟ್ಟಾಗಿ ಮುಂದುವರಿಯದ ನಿಧಾನವಾಗಿ ನಡೆದಿರುವುದಕ್ಕೆ ಕಾರಣಗಳೇನೆಂಬುದನು ಪರಿಶೀಲಿಸಿ, ಉತ್ತಮ ಫಲಿತಾಂಶಗಳು ಒಟ್ಟಾಗು

ವಂತ ಮಾಡಲು ಯಾವ ಏರ್ಪಾಡುಗಳನ್ನು ಮಾಡಬೇಕಂಬುದನ್ನು ಸಲಹಮಾಡಬೇಕೆಂಬುದಾಗಿ ಆ ಸಮಿತಿಯವರಿಗೆ ಸರ್ಕಾರದವರು ಆಜ್ಞೆ ಮಾಡಿದರು ಸಮಿತಿಯವರು ಪರಿಸ್ಥಿತಿಯನ್ನು ಕೂಲಂಕಷವಾಗಿಯೂ ಮತ್ತು ವಿಶೇಷ ಜಾಗರೂಕತೆಯಿಂದಲೂ ಪರಿಶೀಲಿಸಿ ನೋಡಿದ್ದಾರೆ ಹಾಗೆ ಪರಿಶೀಲಿಸಿ ನೋಡಿದನಂತರ ಅವರು ತೀರ್ಮಾನಕ್ಕೆ ಬಂದಿರುವದೇನಂದರೆ —ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಮೇಲಣ ಹತೋಟಿಯನ್ನು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳವರಿಗೆ ವಹಿಸಿಕೊಟ್ಟ ಮೇಲೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ವಿಶೇಷವಾಗಿ ಮುಂದುವರಿದಿಲ್ಲ ಈಗಿನ ನೆಲೆಯಲ್ಲಿಯೇ 'ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸದ ಏರ್ಪಾಡನ್ನು ನಿಲುಗಡೆಯಲ್ಲಿ ನಿಲ್ಲಿಸಿರುವುದು ಯುಕ್ತವಲ್ಲ ಹಾಗೆ ನಿಲ್ಲಿಸಿದ್ದರೆ ಸಂಸ್ಥಾನದ ಶಾಶ್ವತ ಪ್ರಯೋಜನಕ್ಕೇ ಹಾನಿಯುಂಟಾಗುವುದು ಕಂಡಿತ ಆದಕಾರಣ ಅದಕ್ಕವಕಾಶವನ್ನು ತಪ್ಪಿಸಬೇಕು ಹೇಗಾದರೂ ಮಾಡಿ ಅದನ್ನು ಪ್ರಯತ್ನದಿಂದ ಪರಿಸುವ ಪ್ರಯತ್ನಗಳನ್ನು ಕೂಡಲೇ ನಡೆಸಲೇಬೇಕು — ಎಂಬಿವು ಸಮಿತಿಯವರ ನಿರ್ಧಾರಗಳು 'ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರು ವಹಿಸಿಕೊಳ್ಳುವುದೇ ಒಳ್ಳೆಯ ಉತ್ತಮವೆಂದೂ ಸಮಿತಿಯವರು ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿದ್ದಾರೆ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಆಡಳಿತವನ್ನು ವಿದ್ಯಾಭ್ಯಾಸದ ಇಲಾಖೆಯ ಮೂಲಕ ಸರ್ಕಾರದವರೇ ನಡಯಿಸಬೇಕೆಂದೂ ಸಮಿತಿಯವರ ಅಭಿಪ್ರಾಯಪಟ್ಟಿದ್ದಾರೆ ಹಾರ್ಟೊಗ್ ಸಮಿತಿಯವರೂ ಸಹ ಆದೇ ಅಭಿಪ್ರಾಯವನ್ನೇ ನಿರ್ದಿಷ್ಟವಾಗಿ ವ್ಯಕ್ತಪಡಿಸಿರುತ್ತಾರೆ ಈ ಸಂಬಂಧದಲ್ಲಿ ಸಮಿತಿಯವರು ಮತ್ತೊಂದು ಸೂಚನೆಯನ್ನೂ ಕೊಟ್ಟಿದ್ದಾರೆ ಸರ್ಕಾರದವರು ಈ ಏರ್ಪಾಡುಗಳನ್ನು ಕೈಗೊಳ್ಳುವುದರಲ್ಲಿ ಅದರಲ್ಲಿಯೂ ವಿಶೇಷವಾಗಿ ಆ ಸಂಬಂಧವಾದ ವೆಚ್ಚಕ್ಕೆ ಹಣವನ್ನೊದಗಿಸುವ ಸಾಧನೋಪಾಯಗಳಿಗೆ ಏರ್ಪಾಡುಮಾಡುವುದರಲ್ಲಿ, ಜನಸಾಮಾನ್ಯದಲ್ಲಿ ಅತ್ಯಧಿಕ ಭಾಗದವರಿಗೆ ಸಮ್ಮತವಾಗಿರುವಂಥ ಏರ್ಪಾಡುಗಳನ್ನೇ ಕೈಕೊಳ್ಳಬೇಕೆಂಬುದೇ ಸಮಿತಿಯವರು ಮಾಡಿರುವ ಆ ಸೂಚನೆ

ಸಮಿತಿಯವರು ಸಲಹೆಮಾಡಿರುವ ಏರ್ಪಾಡಿನ ಮುಖ್ಯವಾದ ಆಶಯ ವಿಷ್ಟು —ಮೈದಾನ ಪ್ರದೇಶಗಳಲ್ಲಿರುವ ಗ್ರಾಮಗಳ ಪೈಕಿ 500 ಮತ್ತು ಅಷ್ಟಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಪ್ರಜಾಸಂಖ್ಯೆಯುಳ್ಳ ಮತ್ತು ಈಗ ಒಂದು ಸ್ಕೂಲು ಇಲ್ಲದಿರುವ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಕೂಡತೆ ಒಂದು ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸುವುದು ಮಲೆನಾಡು ಪ್ರದೇಶದಲ್ಲಿರುವ ಗ್ರಾಮಗಳ ಪೈಕಿ 300 ಮತ್ತು ಅಷ್ಟಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಪ್ರಜಾಸಂಖ್ಯೆಯುಳ್ಳ ವತ್ತು ಈಗ ಒಂದು ಪಾಠಶಾಲೆಯೂ ಇಲ್ಲದಿರುವ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಕೂಡಲೆ ಒಂದು ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸಬೇಕು ಅಂಥ ಗ್ರಾಮಗಳು ಸುಮಾರು 750 ಇವೆ ಆದುದರಿಂದ ಈ ಎಲ್ಲ ಗ್ರಾಮಗಳಿಗೂ ಸ್ಕೂಲುಗಳನ್ನು ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗುವಂತೆ ಪ್ರತಿಯೂಂದು ವರ್ಷದಲ್ಲಿಯೂ 250 ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸುತ್ತ ಬಂದು ಮುಂದಿನ ನಾಲ್ಕು ವರ್ಷಗಳೊಳಗಾಗಿ 1 000 ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸಬೇಕು—ಇದೇ ಸಮಿತಿಯವರು ಸಲಹೆ ಮಾಡಿರುವ ಏರ್ಪಾಡಿನ ಮುಖ್ಯವಾದ ಆಶಯ

ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕಾಗಿ ಸರ್ಕಾರದವರು ಮಾಡುತ್ತಿರುವ ವೆಚ್ಚವು ಕ್ರಮವಾಗಿ ಹೆಚ್ಚುತ್ತಾ ಬರುತಿದೆ ಸರ್ಕಾರದವರಿಗೆ ಈಗ ಒರುತ್ತಿರುವ ಹುಟ್ಟುವಳಿಯೆಷ್ಟು ಮತ್ತು ಅವರು ಆ ಹುಟ್ಟುವಳಿಯಿಂದ ವಹಿಸಬೇಕಾದ ನಾನಾ ದಾಖಲುಗಳ ವೆಚ್ಚವೆಷ್ಟು ಎಂಬ ಸಂಗತಿಗಳನ್ನು ಕುರಿತು ಆಲೋಚನೆ ನೋಡಿದಲ್ಲಿ ಮೇಲೆ ಸೂಚಿತವಾಗಿರುವ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕ್ಕಾಗಿ ತಗಲತಕ್ಕ ವೆಚ್ಚವನ್ನೆಲ್ಲ ಸರ್ಕಾರದವರು ಸಂಪೂರ್ಣವಾಗಿ ತಾವೇ ವಹಿಸಿಕೊಳ್ಳಲು ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲವಾಗಿದೆ ಆದುದರಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಸಾರ್ವತ್ರಿಕವಾಗಿ ಹರಡಿ ಅಭಿವೃದ್ಧಿಗೊಳ್ಳಬೇಕೆಂಬ ಉದ್ದೇಶವು ನೆರವೇರಬೇಕಾದಲ್ಲಿ ಹೆಚ್ಚಿಗೆ ವರಮಾನದ ಸಾಧನೋಪಾಯಗಳನ್ನು ಹವಣಿಸಿಕೊಳ್ಳಬೇಕಾಗುವುದು ಆದಕಾರಣ ಈಗ ಲೋಕಲ್ ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಿರುವ ಜಮೀನು ಕಂದಾಯ ಎಕ್ಸೈಜು ಮತ್ತು ಫಾರೆಸ್ಟ ಸಂಬಂಧವಾದ ಎಲ್ಲ ವರಮಾನದ ಬಾಬುಗಳ ಮೇಲೂ ರೂಪಾಯಿ ಒಂದಕ್ಕೆ ಮೂರು ಕಾಸುಗಳಂತ ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಬೇಕೆಂದೂ ಮತ್ತು ಮುನಿಸಿಪಲ್ ವರಮಾನದ ಕೆಲವು ಬಾಬುಗಳ ಮೇಲೆ ರೂಪಾಯಿಗ ಒಂದಾಣೆಯಂತೆ ಒಂದು ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಬೇಕೆಂದೂ ಸಮಿತಿಯವರು ಸೂಚಿಸಿರುತ್ತಾರೆ ಹೀಗೆ ಇವೆರಡು ಸೆಸ್ಸುಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದರಿಂದ ಸುಮಾರು 3 ೨ ಲಕ್ಷ ರೂಪಾಯಿಗಳ ಹುಟ್ಟುವಳಿ ಬರುವುದಾಗಿ ನಿರೀಕ್ಷೆಯಿದೆಯೆಂದೂ, ಈ ಹುಟ್ಟುವಳಿಯಷ್ಟೇ ಸಹಾಯ ದ್ರವ್ಯವನ್ನು ಸರ್ಕಾರದವರು ಕೂಡ ಬೇಕೆಂದೂ ಹಾಗೆ ಮಾಡಿದಲ್ಲಿ ಈಗ ಸೂಚಿತವಾಗಿರತಕ್ಕ ಏರ್ಪಾಡು ಸುಸೂತ್ರವಾಗಿ ನಡೆದುಕೊಂಡು ಬರಲು ಅನುಕೂಲವಾಗುವುದೆಂದೂ ಸಮಿತಿಯವರು ಸೂಚಿಸಿರುತ್ತಾರೆ

ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರೇ ವಹಿಸಿಕೊಳ್ಳಬೇಕೆಂಬುದಾಗಿ ಸಲಹೆಯಾಗಿದೆಯಷ್ಟೆ ಅದರ ಜೊತೆಗೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಪ್ರಚಾರ ಕಾರ್ಯದಲ್ಲಿ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳ ಸಹಾಯವನ್ನು ಹೆಗದುಕೊಳ್ಳುವುದಕ್ಕೂ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಬೇಕಂಬುದಾಗಿ ಸೂಚಿತವಾಗಿದೆ ಏಕಂದರೆ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳನ್ನು ಆ ಕಾರ್ಯದಲ್ಲಿ ಸೇರಿಸಿಕೊಳ್ಳುವುದರಿಂದ ಅವರ ತಮ್ಮ ತಮ್ಮ ಸ್ಥಳಗಳ ಆವಶ್ಯಕತೆಗಳನ್ನು ಬಲ್ಲವರಾದ ಅನುಭವಸ್ಥರಾಗಿರುವ ಕಾರಣ ಉತ್ತಮ ರೀತಿಯ ಸಹಕಾರ ನೆರವಾಗಲು ಅವಕಾಶ ದೊರೆತಂತಾಗುವುದು ಅವರು ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಿಗೆ ನೆರವಾಗಿ ಸಹಾಯಮಾಡಲು ಅವರನ್ನು ಆ ರೀತಿ ಸೇರಿಸಿಕೊಳ್ಳವಂತೆ ಕಾನೂನಿನ್ನಯ ಅವಕಾಶ ಕಲ್ಪಿಸಿ ತಕ್ಕ ನಿಯಮವನ್ನರ್ಪಡಿಸುವುದು ಆವಶ್ಯಕವೆಂದೂ ತೋರಿಬಂದಿದೆ

ಈ ಅಂಶಗಳನ್ನೆಲ್ಲ ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಈಗ ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಗಿದೆ ಅದು ಕಾನೂನಾದೊಡನೆಯೇ 1930ನಯ ಇಸವಿಯ ಪ್ರಾಥವಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟೂ ಮತ್ತು ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ತಿದ್ದುಪಡಿ ಆಕ್ಟಾದ 1933ನೆಯ ಇಸವಿಯ Vನೆಯ ನಂಬರಿನ ಆಕ್ಟೂ ರದ್ದಾಗಿ ಅದು ಜಾರಿಯಲ್ಲಿ ಬರುವಂತೆ ಅದರಲ್ಲಿ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ ಈಗ ರಚಿಸಿರುವ ಮಸೂದಾ ಕಾನೂನು ಚಿಕ್ಕದಾಗಿದೆ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನೂ ಹತೋಟಿಯನ್ನೂ ಸರ್ಕಾರದವರು ವಹಿಸಿಕೊಳ್ಳುವುದಕ್ಕಾಗಿ ಅದರಲ್ಲಿ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ

ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳನ್ನೊಳಗೊಂಡ ಸಮಿತಿಗಳನ್ನೇರ್ಪಡಿಸಲು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ ಈ ನಿಯಮದ ಪ್ರಕಾರ ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟಿಗೂ ಒಂದೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯನ್ನೂ ಒಟ್ಟು ಸಂಸ್ಥಾನಕ್ಕೆಲ್ಲಾ ಕೇಂದ್ರ ಸಂಸ್ಥೆಯಾಗಿ "ಸೆಂಟ್ರಲ್‌ಬೋರ್ಡ್" ಒಂದನ್ನೂ ಏರ್ಪಡಿಸಲಾಗುವುದು ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯಲ್ಲಿಯೂ ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡಿನಿಂದ ಚುನಾಯಿತರಾದ ಸದಸ್ಯರಿರುವರು ಅವರಿಗ ಸಮವಾದ ಸಂಖ್ಯೆಯಷ್ಟು ಸದಸ್ಯರನ್ನು ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್ ಮೂಲಕ ನೇಮಕಮಾಡುವರು ಉರ್ದು ವಿದ್ಯಾಭ್ಯಾಸ ನಿಮ್ನ ತರಗತಿಗಳವರ ವಿದ್ಯಾಭ್ಯಾಸ ಬಾಲಕಿಯರ ವಿದ್ಯಾಭ್ಯಾಸ ಮತ್ತು ಮುನಿಸಿ ಪಾಲಿಟಿಗಳು—ಇವುಗಳ ಪರವಾಗಿ ತಕ್ಕಷ್ಟು ಮಂದಿ ಪ್ರತಿನಿಧಿಗಳು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳ್ಲಿ ಸದಸ್ಯರಾಗಿರುವಂತೆ ಮಾಡುವುದೇ ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕಮಾಡುವುದರ ಉದ್ದೇಶ ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳವರು ತಮಗೆ ದೊರೆಯುವಷ್ಟು ಸಾಧನ ಸಂಪತ್ತುಗಳ ಸಹಾಯದಿಂದ ತಮ್ಮ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿ 'ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸವು ಹರಡಿ ಮುಂದುವರಿಯುವಂತೆ ಮಾಡಲು ತಕ್ಕ ಅಂದಾಜುಗಳನ್ನು ಮತ್ತು ಕಾರ್ಯಕ್ರಮದ ವಿವರಗಳನ್ನೂ ಪರ್ಯಾಲೋಚನೆಮಾಡಿ ಸಿದ್ಧಗೊಳಿಸುವುದೇ ಅವರ ಮುಖ್ಯ ಕರ್ತವ್ಯವಾಗಿರುತ್ತದೆ

ಮೇಲೆ ಸೂಚಿಸಿದ 'ಸೆಂಟ್ರಲ್ ಬೋರ್ಡ್ ಎಂಬ ಕೇಂದ್ರ ಸಂಸ್ಥೆಯಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳಿಂದ ಚುನಾಯಿಸಿ ಕಳುಹಿಸಲ್ಪಟ್ಟ ಪ್ರತಿನಿಧಿಗಳೂ ಮತ್ತು ಸರ್ಕಾರದವರಿಂದ 'ನಾಮಿನೇಷ್ ಮೂಲಕ ನೇಮಕಮಾಡಲ್ಪಟ್ಟವರೂ ಸದಸ್ಯರಾಗಿರುವರು ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯ ಪರವಾಗಿಯೂ ಒಬ್ಬರು ಸದಸ್ಯರಂತೆ ಚುನಾಯಿಸಲ್ಪಡುವರು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳ ಪ್ರತಿನಿಧಿಗಳಿಗೆ ಸಮವಾದ ಸಂಖ್ಯೆಯಷ್ಟು ಮಂದಿ ಸದಸ್ಯರನ್ನು ಸರ್ಕಾರದವರು 'ನಾಮಿನೇಷ್ ಮೂಲಕ ನೇಮಕ ಮಾಡುವರು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳವರು ನಡೆಯಿಸಕ್ಕೆ ಪ್ರಯತ್ನಗಳನ್ನೆಲ್ಲ ಕ್ರೋಢೀಕರಿಸಿ ಅವು ಹೊಂದಿಕೆಯಿಂದ ನೆರವೇರುವಂತೆ ಮಾಡುವುದು, ಅವರ ಸಂಜೆಗಳನ್ನೂ ಮತ್ತು ಅಂದಾಜು ವಿವರಗಳನ್ನೂ ಪರಿಶೀಲಿಸುವುದು ಮತ್ತು ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರ ಕಾರ್ಯನೀತಿಯ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರಿಗ ಸಲಹೆ ಹೇಳುವುದು—ಇವುಗಳೇ ಈ ಕೇಂದ್ರಸಂಸ್ಥೆಯ ಕರ್ತವ್ಯಗಳು

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಖರ್ಚುವೆಚ್ಚಗಳಿಗಾಗಿ ಈಗಿನಂತೆಯೇ ಪ್ರತಿ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿಯೂ ಒಂದು ನಿಧಿಯಿರುತ್ತದೆ ಈಗ ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟುಗಳಲ್ಲಿ ಏರ್ಪಟ್ಟಿರತಕ್ಕ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ನಿಧಿಗಳಿಗೆ ಯಾವಯಾವ ದಾಖಲುಗಳಿಂದ ಹಣವನ್ನು ಜಮೆಕಟ್ಟಲಾಗುತ್ತಿದೆಯೋ ಅದೇ ದಾಖಲುಗಳಿಂದ ಇನ್ನು ಮುಂದೆಯೂ ಆ ಡಿಸ್ಟ್ರಿಕ್ಟು ನಿಧಿಗಳಿಗೆ ಹಣವನ್ನು ಜಮೆಕಟ್ಟಲಾಗುವುದು

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರು ವಹಿಸಿಕೊಂಡು, 'ಸೆಂಟ್ರಲ್ ಬೋರ್ಡ್ ಸಂಸ್ಥೆಯ ಮತ್ತು ನಾನಾ ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳ ಸಂಜೆಗಳ ಸಹಾಯದಿಂದ ಅದನ್ನು ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದರಿಂದ ಇನ್ನು ಮುಂದೆ ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಪರಿಷ್ಕಾರವಾಗಿ ಪ್ರಚಾರಗೊಳ್ಳುವ ವಿಷಯದಲ್ಲಿಯೂ, ಅಭಿವೃದ್ಧಿ ಹೊಂದುವ ವಿಷಯದಲ್ಲಿಯೂ ಮತ್ತು ಉತ್ತಮಪಡುವ ವಿಷಯದಲ್ಲಿಯೂ ವಿಶೇಷ ಗಾಢನೀಯವಾದ ರೀತಿಯಲ್ಲಿ ಕಾರ್ಯಸಾಧನೆಯಾಗುವುದೆಂದು ಸರ್ಕಾರದವರು ನಂಬಿರುತ್ತಾರೆ

ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ನಡೆಯುವ ಚುನಾವಣೆಯು ತಕ್ಸೀರುಗಳಿಗೂ ಮತ್ತು ಅವುಗಳ ವಿಚಾರಣೆಗೂ ಸಂಬಂಧಪಟ್ಟ ವ ಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ

1940ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸರ್ಕಾರದ ಆಕ್ಟನ್ನು ಈಚೆಗೆ ಜಾರಿಗೆ ತಂದುದರ ಪರಿಣಾಮವಾಗಿ ವೋಟರುಗಳಿಗಿರಬೇಕಾದ ಅರ್ಹತೆಗಳು ಕಡಮೆಯಾಗಿವೆ ಅದರ ಫಲಿತಾಂಶವಾಗಿ ವೋಟರುಗಳ ಸಂಖ್ಯೆಯು ಬಹಳಮಟ್ಟಿಗೆ ಹೆಚ್ಚುತ್ತದೆ ಸಂಸ್ಥಾನದಲ್ಲಿರುವ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳ ಚುನಾವಣೆಗಳ್ಲಿ ಭಾಗವಹಿಸತಕ್ಕ ವೋಟರುಗಳಿಗೆ ಇರಬೇಕಾದ ಅರ್ಹತೆಗಳೂ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯ ಚುನಾವಣೆಗಳ್ಲಿ ಭಾಗವಹಿಸತಕ್ಕ ವೋಟರುಗಳಿಗೆ ಇರಬೇಕಾದ ಅರ್ಹತೆಗಳೂ ಒಂದೇ ಆಗಿರುವಂತೆ ವಿಧಾಯಕವಾಗಿವೆ ಅವಕಾರಣ ಅವಕ್ಕೆ ತಕ್ಕಂತೆ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳ ಚುನಾವಣೆಗಳ್ಲಿ ಭಾಗವಹಿಸತಕ್ಕ ವೋಟರುಗಳ ಸಂಖ್ಯೆಯೂ ಸಹ ಹೆಚ್ಚಾಗುತ್ತದೆ

ರಾಜಕೀಯ ಸುಧಾರಣೆಗಳ ಫಲಿತಾಂಶವಾಗಿ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಹೊಸ ಬಗೆಯಲ್ಲಿ ಸಾರ್ವಜನಿಕ ಜೀವನವು ಪ್ರಾರಂಭವಾಗುತ್ತದಷ್ಟ ಅದರಲ್ಲಿ ಚುನಾವಣೆಯು ಕಾರ್ಯಕರಾಪಗಳು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾಗಿ ಪರಿಣಮಿಸುತ್ತವೆ ಅದುದರಿಂದ ವೋಟು ಕೊಡುವುದು ನ್ಯಾಯ ವಿಧಾಯಕ ಸಭೆಗೂ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗೂ ಸಂಬಂಧಪಟ್ಟಿದ್ದರೂ ಸರಿಯೆ ಅಥವಾ ಇತರ ಸಂಸ್ಥೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಿದ್ದರೂ ಸರಿಯೆ ವೋಟು ಕೊಡುವುದರ ಸಂಬಂಧದಲ್ಲಿ ಅಕ್ರಮ ವರ್ತನೆಯು ನಡೆಯುವುದಾದರೆ ಅದರಿಂದುಂಟಾಗುವ ವಿಷಮ ಪರಿಣಾಮವನ್ನು ಜನರಿಗೆ ಮನದಟ್ಟು ಮಾಡಿಕೊಡುವುದು ಅಗತ್ಯವಾಗಿದೆ ವೋಟು ಕೊಡತಕ್ಕವರು ಯಾವ ದಾಕ್ಷಿಣ್ಯಕ್ಕೂ ನಿರ್ಬಂಧಕ್ಕೂ ಒಳಗಾಗದೆ ಧಾರಾಳವಾಗಿ ತಮ್ಮ ಮನಸ್ಸು ಬಂದ ಯೋಗ್ಯರಾದವರಿಗೆ ವೋಟುಕೊಡುವಂತೆ ಅವಕಾಶ ವಿರಬೇಕು ಚುನಾವಣೆ ಶಿಸ್ತು, ಪೂರ್ಣ ಫಲವಾಯಕವಾಗುವಂತೆ ಕೆಲಸ ನಡೆಯುವು ಅವಕಾಶವಿರಬೇಕು ಹಿಗಾಗಬೇಕಾದರೆ, ಚುನಾವಣೆಗಳ್ಲಿ ವೋಟರುಗಳು ದಾಕ್ಷಿಣ್ಯಕ್ಕೂ ನಿರ್ಬಂಧಕ್ಕೂ ಒಳಗಾಗುವುದಕ್ಕೆ ಆಸ್ಪದವಿರದಂತೆ ಪರಿಶುದ್ಧತೆಯ ರಕ್ಷಣೆಯಾಗಬೇಕು ಅವಕಾರಣ ಅಕ್ರಮವರ್ತನೆಗೆ ದಂಡನೆಯನ್ನು ದೇಶದ ಕ್ರಿಮಿನಲ್ ಕಾನೂನಿನಲ್ಲಿ ಏರ್ಪಡಿಸಬೇಕಾದುದು ಆ ಬಗೆಯ ಪರಿಶುದ್ಧತೆಯ ರಕ್ಷಣೆಗೆ ಅತ್ಯವಶ್ಯವಾದ ಮುಖ್ಯ ಸಾಧನ

1919ನೆಯ ಇಸವಿಯ ಇಂಡಿಯಾ ಸರ್ಕಾರದ (ತಿದ್ದುಪಡಿ) ಮನೂದಾ ಕಾನೂನಿನ ವಿಷಯದಲ್ಲಿ ಒಂದು ವರದಿಯನ್ನು ಒಪ್ಪಿಸಲು ನೇಮಕಮಾಡಲ್ಪಟ್ಟ 'ಜಾಯಿಂಟ್ ಪಾರ್ಲಿಮೆಂಟರಿ ಕಮಿಟಿ' ಎಂಬ ಸಮಿತಿಯವರು, ಅಂಥ ಒಂದು ಕಾನೂನನ್ನು ವಿಧಾಯಕ ಮಾಡಬಹುದೆಂದು ಸಲಹೆ ಮಾಡಿದರು 'ಶಾಸನ ಸಭೆಗಳಿಗೆ ಮೊಟ್ಟಮೊದಲನೆಯ ಚುನಾವಣೆಯನ್ನು ನಡೆಯಿಸುವುದಕ್ಕೆ ಮುಂಚೆ ಅಕ್ರಮವರ್ತನೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅಪರಾಧಗಳಿಗೆ ತಕ್ಕ ಶಿಕ್ಷೆಗಳನ್ನು ವಿಧಾಯಕಮಾಡಿ ಸಮಗ್ರವಾದ ಮತ್ತು ಕಟ್ಟುನಿಟ್ಟಾದ ಒಂದು ಆಕ್ಟನ್ನು ಜಾರಿಗೆ ತರಬೇಕೆಂದು ಸಮಿತಿಯವರು ದೃಢವಾಗಿ ಅಭಿಪ್ರಾಯಪಟ್ಟಿರುತ್ತಾರೆ ಈಗ ಇಂಡಿಯಾ ದೇಶದಲ್ಲಿ ಅಂಥ ಒಂದು ಆಕ್ಟೂ ಏರ್ಪಟ್ಟಿಲ್ಲ ಅಂಥ ಒಂದು ಆಕ್ಟಿನ ಆವಶ್ಯಕತೆಯು ಇತರ ದೇಶಗಳಲ್ಲಿರುವುದಕ್ಕಿಂತಲೂ ಇಂಡಿಯಾ ದೇಶದಲ್ಲೇನೂ ಕಡಮೆಯಾಗಿಲ್ಲವೆಂದು ಸಮಿತಿಯವರು ಮನಗಂಡಿದ್ದಾರೆ ಎಂದು ಸಮಿತಿಯವರು ತಿಳಿಸಿದರು ಅದಕ್ಕನುಸಾರವಾಗಿ, ಇಂಡಿಯಾದೇಶದಲ್ಲಿ ನಡೆಯುವ ಚುನಾವಣೆಯ ತಕ್ಕೀರುಗಳಿಗೂ ಮತ್ತು ಅವುಗಳ ವಿಚಾರಣೆಗಳಿಗೂ ಸಂಬಂಧಪಟ್ಟ ಆಕ್ಟು 1920ನೆಯ ಇಸವಿಯ ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳನಲ್ಲಿ ಕಾನೂನಾಗಿ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಗೆ ಬಂದಿದೆ

ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾ ಪ್ರಾಂತಗಳಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆ ಕಾನೂನಿನ ಮಾದರಿಯನ್ನನುಸರಿಸಿ ಈಗ ಸರ್ಕಾರದವರು ಒಂದು ಮನೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಿದ್ದಾರೆ ಅದರಲ್ಲಿ ಎರಡು ಭಾಗಗಳಿವೆ ಮೊದಲನೆಯ ಭಾಗದಲ್ಲಿ ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ ಇಂಡಿಯನ್ ಪೀನಲ್ ಕೋಡಿಗೂ ಮತ್ತು ಕ್ರಿಮಿನಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿಗೂ ಕೆಲವು ತಿದ್ದುಪಡಿಗಳನ್ನು ರಚಿಸಲಾಗಿದ ಈ ಭಾಗವು 1940ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸರ್ಕಾರದ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಏರ್ಪಾಡಾದ ನ್ಯಾಯವಿಧಾಯಕಸಭೆ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗಳ ಸದಸ್ಯರ ಚುನಾವಣೆಗಳಿಗೂ ಅನ್ವಯಿಸುತ್ತದೆ ಅಲ್ಲದೆ ಸರ್ವೇ ಸಾಮಾನ್ಯವಾಗಿ ಎಲ್ಲ ಒಗೆಯ ಸಾರ್ವಜನಿಕ ಸಂಸ್ಥೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಚುನಾವಣೆಗಳಿಗೂ ಸಹ ಅನ್ವಯಿಸುತ್ತದ ಈ ಭಾಗದಲ್ಲಿ ಈ ಮನೂದಾ ಕಾನೂನಿನ ಮೇರೆಗೆ ಸೂಚಿತವಾಗಿರುವ ಐದು ಹೊಸ ಅಪರಾಧಗಳನ್ನು ಎಂದರೆ ಲಂಚ, ಅನುಚಿತವಾದ ಪ್ರೇರೇಪಣೆ, ಮತ್ತೊಬ್ಬ ಮನುಷ್ಯನೇ ತಾನೆಂದು ಹೇಳಿಕೊಂಡುವರ್ತಿಸುವುದು ಸುಳ್ಳು ಸಂಗತಿಗಳನ್ನು ಪ್ರಸಿದ್ಧಪಡಿಸುವುದು ಮತ್ತು ಸರಿಯಾದ ಲೆಕ್ಕಗಳನ್ನು ಇಡದಿರುವುದು, ಈ ಐದು ಹೊಸ ಅಪರಾಧಗಳಿಗೆ ಶಿಕ್ಷೆಯು ವಿಧಾಯಕವಾಗಿದೆ

ಎರಡನೆಯ ಭಾಗವು ಹೊಸ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಏರ್ಪಟ್ಟ ನ್ಯಾಯವಿಧಾಯಕ ಸಭೆಗೂ ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗೂ ಸಂಬಂಧಪಟ್ಟ ಚುನಾವಣೆಗಳಿಗೆ ಮಾತ್ರವೇ ಅನ್ವಯಿಸುತ್ತದೆ ಅಲ್ಲದೆ, ಇದರಲ್ಲಿ ಆ ಸಂಸ್ಥೆಗಳಿಗೆ ನಡೆದ ಸದಸ್ಯರ ಚುನಾವಣೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಹುಟ್ಟುವ ವಿವಾದಗಳ ವಿಚಾರಣೆಗಳಿಗೂ ನಿಯಮಗಳು ಏರ್ಪಟ್ಟಿವೆ ಈ ವಿಚಾರಣೆಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ನೇಮಕವಾದ ಕಮಿಷನರರಿಗೆ, 1911ನೆಯ ಇಸವಿಯ ಸಿವಿಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿನ ಮೇರೆಗೆ ಒಂದು ದಾವಾ ಮೊಕದ್ದಮೆಯ ವಿಚಾರಣೆಯನ್ನು ನಡೆಯಿಸುವುದರಲ್ಲಿ ಒಂದು ಕೋರ್ಟಿಗೆ ಯಾವ ಅಧಿಕಾರಗಳನ್ನು ಕೂಡಲಾಗಿದೆಯೋ ಅವೇ ಅಧಿಕಾರಗಳನ್ನು ಪೆಹಿಸಲಾಗಿದೆ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ 1872ನೆಯ ಇಸವಿಯ ಇಂಡಿಯನ್ ಎವಿಡೆನ್ಸ್ ಆಕ್ಟಿನ ನಿಯಮಗಳು ಇಂಥ ವಿಚಾರಣೆಗಳಿಗೆ ಅನ್ವಯಿಸುತ್ತವೆ ಈ ಎರಡನೆಯ ಭಾಗದಲ್ಲಿ ಇತರ ಕೆಲವು ಪ್ರಾಸಂಗಿಕವಾದ ನಿಯಮಗಳನ್ನೂ ಏರ್ಪಡಿಸಲಾಗಿದೆ ಅಲ್ಲದೆ, ಅವುಗಳ ಜೊತೆಗೆ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ ಇಂಡಿಯನ್ ಪೀನಲ್‌ಕೋಡಿನ IX-A ಅಧ್ಯಾಯದ ಮೇರೆಗೆ ಶಿಕ್ಷೆಗೆ ಗುರಿಯಾದ ಒಬ್ಬ ಮನುಷ್ಯನು ಕೆಲವು ನೇಮಕಗಳನ್ನೂ ಹುದ್ದೆಗಳನ್ನೂ ಪಡೆಯದಂತೆ ಅನರ್ಹತೆಯನ್ನು ಹೊಂದತಕ್ಕುದೆಂದೂ ಈ ಭಾಗದಲ್ಲಿ ವಿಧಾಯಕವಾಗಿದೆ ಆದಾಗ್ಯೂ ಯಾವುದಾದರೂ ಒಂದು ಪ್ರತ್ಯೇಕ ಸಂದರ್ಭದಲ್ಲಿ ಅಂಥ ಅನರ್ಹತೆಯನ್ನು ಪರಿಹಾರ ಮಾಡತಕ್ಕ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರಿಗೆ ವಹಿಸಲಾಗಿದೆ ಅಲ್ಲದೆ, ವೋಟು ಕೊಟ್ಟುದರ ಸಂಬಂಧದಲ್ಲಿ ರಹಸ್ಯರಕ್ಷಣೆಗೆ ಅವಶ್ಯವಾದ ನಿಯಮಗಳೂ ಸಹ ಇದರಲ್ಲಿ ಏರ್ಪಟ್ಟಿವೆ

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4 ಕೋರ್ಟುಗಳಿಗೆ ಅವಮಾನ ಮಾಡಿದುದಕ್ಕೆ ಶಿಕ್ಷೆ ವಿಧಿಸುವ ವಿಚಾರದಲ್ಲಿ ಏರ್ಪಟ್ಟ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ರಚಿತವಾದ ಮನೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ

ಕೋರ್ಟುಗಳಿಗೆ ಅವಮಾನ ಮಾಡಿದುದಕ್ಕೆ ಶಿಕ್ಷೆ ವಿಧಿಸುವ ವಿಚಾರದಲ್ಲಿ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಹೈಕೋರ್ಟ್ ನವರು ಚಲಾಯಿಸಬಹುದಾದ ಅಧಿಕಾರಗಳನ್ನ ನಿರ್ದಿಷ್ಟಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ 1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಒಂದು ಕಾನೂನು ಮಂಜೂರಾಗಿ ಜಾರಿಗೆ ಬಂದುದು ಸರಿಯಷ್ಟೆ ಆ ಆಕ್ಟು ("ಕಂಟೆಮ್ಟ್ ಆಫ್ ಕೋರ್ಟ್ಸ್ ಆಕ್ಟು") ಬಹು ಮಟ್ಟಿಗೆ, ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾ ಪ್ರಾಂತಗಳಲ್ಲಿ ಅದೇ ವಿಚಾರವಾಗಿ ಏರ್ಪಟ್ಟಿರುವ ಕಾನೂನಿನ ಮಾದರಿಯಲ್ಲೇ ರಚಿತವಾಗಿದೆ ಆದರೆ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಕಾನೂನಿಗೂ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಏರ್ಪಟ್ಟಿರುವ ಕಾನೂನಿಗೂ ಒಂದು ವ್ಯತ್ಯಾಸವಿದೆ ಅದೇನೆಂದರೆ — ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಮೊಕದ್ದಮೆಗಳ ವಿಚಾರಣೆಯು ಪೂರ್ತಿಯಾಗಿ ಇತ್ಯರ್ಥವಾಗದೆ ಇನ್ನೂ ನಡೆಯುತ್ತಿರುವಂಥ ವ್ಯವಹರಣೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಮಾತ್ರವೇ ಕೋರ್ಟಿಗೆ ಅವಮಾನಕರವಾದ ರೀತಿಯಲ್ಲಿ ನಡೆಯಿಸಲ್ಪಟ್ಟ ವರ್ತನೆಗಳಿಗೆ ಶಿಕ್ಷೆಯು ವಿಧಿಸಲ್ಪಡುವಂತೆ ನಿಯಮವೇರ್ಪಟ್ಟಿದೆ ಇದೇ ಆ ವ್ಯತ್ಯಾಸ ಇದರಿಂದ, ಕೋರ್ಟುಗಳಿಗೆ ಅವಮಾನ ಮಾಡಿದುದಕ್ಕಾಗಿ ಶಿಕ್ಷೆ ವಿಧಿಸಬಹುದಾದ ಸಂದರ್ಭಗಳನ್ನು ಪರಿಮಿತಗೊಳಿಸಿದಂತಾಗಿದೆ

ಈ ವಿಮಿತಿಯನ್ನು ತೆಗೆದುಹಾಕಿ, ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಕಾನೂನಿನ ನಿಯಮಗಳಿಗನು ಗುಣವಾಗಿ ರೀತಿಯಲ್ಲೇ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿನ ಕಾನೂನಿನ ನಿಯಮಗಳೂ ಇರುವಂತೆ ಮಾಡುವುದು ಸೂಕ್ತವೆಂದು ಭಾವಿಸಲಾಗಿದೆ. ಆದಕಾರಣ ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ಈ ಮಸೂದಾ ಕಾನೂನು ರಚಿತವಾಗಿದೆ. ಈ ತಿದ್ದುಪಾಟಿನ ಪರಿಣಾಮವೇನೆಂದರೆ—ಒಬ್ಬ ನ್ಯಾಯಾಧೀಶರಿಗೆ (ಜಡ್ಜಿಯವರಿಗೆ) ಅಥವಾ ಒಂದು ಕೋರ್ಟಿಗೆ ಅವಮಾನ ಮಾಡದೇಕೆಂಬ ಅಥವಾ ನ್ಯಾಯಾಧೀಶರ ಅಥವಾ ಕೋರ್ಟಿನ ಅಧಿಕಾರ ಗೌರವಕ್ಕೆ ಕುಂದನ್ನುಂಟುಮಾಡುವ ಉದ್ದೇಶದಿಂದ ಮಾಡಲ್ಪಟ್ಟ ಯಾವ ಕೃತ್ಯದ ವಿಷಯದಲ್ಲಾಗಲಿ ಅದನ್ನು ಕೋರ್ಟಿಗೆ ಅವಮಾನಮಾಡಿದುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ತಕ್ಕೀರೆಂದು ಭಾವಿಸಿ ವ್ಯವಹರಿಸಲು ಕಾನೂನಿನಲ್ಲಿ ಅವಕಾಶವೇರ್ಪಟ್ಟಂತಾಗುವುದು

ಬೆಂಗಳೂರು
25-9-1940

ಎಚ್ ವಿ ನಾರಾಯಣರಾವ್,
ಮೈಸೂರು ವ್ಯವಹಾರಿಕ ಸಭೆಯ ಕಾರ್ಯದರ್ಶಿ

WD 482—GPB—450—29-9-40

The Mysore Representative Assembly

DASARA SESSION—OCTOBER 1940

STATEMENT OF GOVERNMENT BUSINESS TO BE PLACED BEFORE THE REPRESENTATIVE ASSEMBLY

I Statement of the General Principles of the Bill to amend the Mysore City Municipalities Act, 1933

The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in Chapter VIII of the City Municipalities Act, 1933 It has been brought to the notice of Government that the existing provisions of law are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent Both the Municipal Commissioner, Bangalore City, and the President, Mysore City Municipal Council, have stated that it is necessary to insert a provision in the Act empowering the Municipal Councils to collect the assessed taxes from defaulters by recourse to prosecution

There is a provision of this kind in the Municipal Laws of the Civil and Military Station, Bangalore

It is accordingly proposed to amend the Mysore City Municipalities Act, 1933 by adding a section as follows —

102 A In the even of non payment of any tax imposed under section 64, within fifteen days from the date of service of notice of demand under clause 3 of Section 95 the person failing to pay such a tax shall on conviction before a Magistrate be liable to a fine not exceeding twice the amount of the tax found to be due

II Statement of the General Principles of the Elementary Education Bill

The need for the wider diffusion of primary education, both as means of securing social and economic efficiency, and of enriching and elevating the lives of individuals, has long been recognized, and it has always been the primary concern and the declared policy of Government to provide for the progressive expansion and development of elementary education in the State, with a view to reach the goal of universal elementary education In order to attain this object, they have, from time to time, made provision for an increasing association of representatives of the people in all schemes and programmes connected with this work

The culmination of this policy was reached in 1930, when the Elementary Education Act was placed on the Statute Book The local bodies were completely invested with powers for providing and controlling Elementary Education in their areas Eight District and four Town Local Educational Authorities came into existence and to their administrative control, all Government Primary Schools and village aided schools situated in the respective local areas with their staff, buildings, equipment, etc , were transferred with effect from 1st July 1931 These bodies were charged with the responsibility for the consolidation, expansion and development of Elementary Education within their respective limits of jurisdiction An Elementary Education fund was constituted for each Local Education Authority to which were transferred the amounts spent on Primary Education from the State Fund and the proceeds of Education Cess levied

These bodies were required to prepare within a period of one year after the Act came into force, a programme of educational expansion on a voluntary basis, so as to provide, within a period not exceeding ten years, for a sufficient number of schools for all children, not being less than six or more than twelve years of age, who were likely to attend schools for elementary education and also to submit within a period of ten years, a programme of compulsory education of all children between the ages of six and ten years, within the local limits of their jurisdiction

The expectation entertained in 1930, that a great filip would be given to expansion by the transfer of control and responsibility to local bodies has not been realised Though it is nearly a decade since the Elementary Education Act was passed, there is not an appreciable increase either in the number of schools or in the number of scholars Many causes seem to have contributed towards this disappointing result, the most important being that of finance There has been a feeling among the local bodies that recourse to levy of fresh taxation would be unpopular, particularly at a time of agricultural and general depression The provisions of the Act of 1930 enabling Government to take steps in regard to expansion schemes should the local bodies fail to do so, have contributed to a great extent to make them apathetic and adopt an attitude of waiting

With a view to remedy this state of affairs, a committee was constituted in 1937 to investigate into the causes for the slow progress made so far, and to suggest measures for securing better results After reviewing the situation with considerable thoroughness and care, the committee has come to the conclusion that the interests of Primary Education have not advanced very much after the control was made over to the Local Education Authorities, and that the present state of stagnation cannot be allowed to continue, any longer without detriment to the larger interests of the State, and that some forward step must be taken immediately The Committee is of opinion that it would be far better for Government to resume charge of Primary Education and that Primary Schools should be administered by them through the Department of Public Instruction The same view has been definitely advanced by the Hartog Committee The Committee has at the same time, added that these measures and particularly the financial arrangements should be such as are acceptable to a large section of the public

The essence of its scheme is that every village in the State with a population of 500 and above in the Mardan and of 300 and above in the Malnad in which there are no schools at present should be provided with a school immediately The number of such villages being roughly about 750, the recommendation is to start 1,000 schools, 250 each year, so that in about 4 years the wants of almost all these villages may be met

The expenditure on education is steadily growing and Government cannot, consistent with their present financial resources and the demands which they have to meet in several directions, undertake to shoulder the entire responsibility for financing the expansion of Elementary Education as outlined above Additional resources have, therefore, to be made available if the object in view is to be achieved The Committee has, therefore, suggested that a cess of three pies in the rupee be levied on all items of Land, Excise and Forest Revenue on which local cess is now levied, and a cess of one anna in the rupee on certain items of Municipal Revenue, and this is expected to yield about Rs 3 3 lakhs and that Government should make an equal contribution, so that the scheme as proposed may be easily worked out

While it is recommended that Government should take over control of primary education, it is also suggested that provision should be made for the association of representatives of the people with the work connected with the expansion of elementary education, as such representatives with their experience and intimate knowledge of local requirements could give valuable advice in this respect It is also considered necessary that such association should be on a statutory footing

The draft bill now under consideration repeals and supersedes the Elementary Education Act of 1939, and also the amendment to it, *viz*, Act V of 1933, and it is a short measure enabling Government to take over the management and control of Primary Education from the Local Education Authorities

In the draft bill, provision is also made for the constitution of representative bodies—District Committees, one for each District, and a Central Board for the whole State A District Committee will consist of members elected by the District Board concerned, an equal numbe being nominated by Government in order to give adequate representation for Urdu Education, Depressed Class and Girls Education and Municipalities Its main function will be to consider plans and programmes for the expansion and development of primary education in its jurisdiction with the financial resources available

The Central Board will consist of representatives sent by the District Committees each committee having one representative on the Board and the Government nominating an equal number Its functions will be to co ordinate the efforts of District Committees, to examine the proposals and plans, and to advise Government on questions of policy

Each district will continue to have a fund made up of the items now credited to Elementary Education funds in the respective districts

It is hoped that the management by Government, aided by the advice of the Central Board and the several District Committees will help to carry forward to a substantial extent the expansion, consolidation and improvement of Elementary Education in the State

III Statement of General Principles of the Mysore Election Offences and Inquiries Bill

The recent enactment of the Government of Mysore Act, 1940, has resulted in a considerable widening of the franchise The franchise for the District Boards in the State, which is the same as for the Representative Assembly, has also been correspondingly widened

As elections will therefore play an important part in the new public life of Mysore it is considered desirable that the public conscience should be markedly drawn to the danger of corrupt practice in relation to the franchise, whether that franchise relates to legislative or other bodies It is of the greatest importance, in order to safeguard the free and unhampered exercise of the vote and to secure the successful working of the system of election, that the principle of the purity of the franchise should be insisted on in the criminal law of the country

The Joint Parliamentary Committee appointed to report on the Government of India (amendment) Bill, 1919, recommended the enactment of such a measure They said 'The Committee are firmly convinced that a complete and stringent Corrupt Practices Act should be brought into operation before the first election to the Legislative Councils There is no such Act at present in existence in India and the Committee are convinced that it will not be less required in India than it is in other countries The Indian Election Offences and Inquiries Act, 1920 was accordingly passed into law in September 1920

The present Bill is modelled on the British Indian measure and it is made up of two parts The first part makes certain amendments to the Indian Penal Code, as in force in Mysore, and the Criminal Procedure Code This part applies not only to elections to the legislative bodies constituted under the Government of Mysore Act, 1940, but to elections to all public bodies generally It penalises the five new offences created by this Bill, namely, bribery, undue influence, personation, the publication of false statement of fact and the failure to keep accounts

Part II applies only to elections to legislative bodies constituted under the new Act, provision being made for the conduct of inquiries in regard to disputed elections to them The Commissioner appointed to hold such inquiries will have the powers of a Court under the Code of Civil Procedure, 1911, when trying a suit The provisions of the Indian Evidence Act, 1872, as in force in Mysore, will apply to such inquiries In addition to certain other incidental provisions this Part also enacts that a person convicted under Chapter IX A of the Indian Penal Code, as in force in Mysore, will be disqualified from certain appointments and offices Government are, however, given the power to remove such disqualification in any particular case Provision is also made for the maintenance of secrecy of voting

IV Statement of the General Principles of the Contempt of Courts (Amendment) Bill

The Contempt of Courts Act, 1930, was modelled largely on the corresponding enactment of British India Departing from that enactment, however, it provided that acts of contempt committed in respect of pending judicial proceedings only shall be punishable

It is considered desirable to remove this limitation and bring the Act into line with the provision of law in British India on the subject The effect of the proposed amendment will be that any act intended to bring into contempt or lower the authority of a Judge or a Court may be dealt with as contempt of court

BANGALORE,
Dated 27th September 1940

H V NARAYANA RAO,
Secretary,
Mysore Representative Assembly

STATEMENT SHOWING THE DEMAND, COLLECTION AND BALANCE UNDER PROFESSIONAL TAXES IN THE CITY

MUNICIPALITIES OF BANGALORE AND MYSORE FOR THE FOLLOWING YEARS.

Year.	Total Demand. Rs.	Collection. Rs	Balance. Rs	Remarks xx
		Bangalore City.		
1934-35	5,33,903	3,47,988	1,85,915	
1935-36	5,96,611	3,74,835	2,21,776	
1936-37	6,49,902	3,62,136	2,86,706	
1937-38	7,52,668	3,57,306	3,95,362	
1938-39	8,77,768	4,48,653	4,29,115	
1939-40			4,30,358 (1.7.40) 3,14,818 (1.7.40)	
		Mysore City		
1934-35.	4,24,967	2,48,834	1,68,524	
1935-36	4,56,902	2,42,716	2,14,186	
1936-37	4,40,608	2,57,008 ~~xxxxxx~~	1,83,600 ~~xxxxxxx~~	
1937-38	4,47,386	2,70,481	1,76,905	
1938-39.	4,66,336	3,12,087	1,54,249	
1939-40			129,745	

STATEMENT SHOWING THE DEMAND, COLLECTION AND BALANCE UNDER-ASSESSED TAXES IN THE CITY MUNICIPALITIES OF BANGALORE AND MYSORE FOR THE FOLLOWING YEARS

Year.	Total Demand. Rs	Collection. Rs	Balance. Rs	Rx
		Bangalore City		
1934-35	5,33,898	3,47,983	1,85,915	
1935-36	5,96,611	3,74,835	2,21,776	
1936-37	6,48,902	3,62,136	2,86,706	
1937-38	7,52,668	3,57,306	3,95,362	
1938-39	8,77,768	4,48,653	4,29,115	
1939-40			4,30,355 (1-7 4 3,64,818 (1	
		Mysore City		
1934-35	4,24,967	2,48,834	1,68,524	
1935-36	4,56,902	2,42,716	2,14,186	
1936-37	4,40,608	2,57,008	1,83,600	
1937-38	4,47,386	2,70,481	1,76,905	
1938-39	4,66,336	3,12,087	1,54,249	
1939-40	R 6		129045	

STATEMENT SHOWING THE DEMAND, COLLECTION AND BALANCE UNDER-ASSESSED TAXES IN THE CITY MUNICIPALITIES OF BANGALORE AND MYSORE FOR THE FOLLOWING YEARS.

Year.	Total Demand. Rs.	Collection. Rs	Balance. Rs	
		Bangalore City.		
1934-35	5,33,898	3,47,983	1,85,915	
1935-36	5,96,611	3,74,835	2,21,776	
1936-37	6,48,902	3,62,136	2,86,706	
1937-38	7,52,668	3,57,306	3,95,362	
1938-39	8,77,768	4,48,653	4,29,115	
1939-40		—	4,30,357 (1-7-40) / 3,64,818 / 10-40	
		Mysore City.		
1934-35.	4,24,967	2,48,834	1,68,524	
1935-36	4,56,902	2,42,716	2,14,186	
1936-37	4,40,608	2,57,008	1,83,600	
1937-38	4,47,386	2,70,481	1,76,905	
1938-39.	4,66,336	3,12,087	1,54,249	

I.G. 1935 to

12,045

STATEMENT SHOWING THE DEMAND, COLLECTION AND BALANCE OF ASSESSED TAXES IN THE CITY MUNICIPALITIES OF BANGALORE AND MYSORE FOR THE FOLLOWING YEARS

Year.	Total Demand. Rs.	Collection. Rs	Balance Rs	Balance Rs
		Bangalore City.		
1934-35	5,33,898	3,47,983	1,85,915	
1935-36	5,96,611	3,74,835	2,21,776	
1936-37	6,48,902	3,62,136	2,86,706	
1937-38	7,52,668	3,57,306	3,95,362	
1938-39	8,77,768	4,48,653	4,29,115	
		Mysore City.		
1934-35.	4,24,967	2,48,834	1,68,524	
1935-36	4,56,902	2,42,716	2,14,186	
1936-37	4,40,608	2,57,008	1,83,600	
1937-38	4,47,306	2,70,401	1,76,905	
1938-39.	4,66,336	3,12,087	1,54,249	

The Mysore City Municipalities (amendment) Bill

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933

It is hereby enacted as follows :-

Short title and commencement.

1 (1) This Act may be called the Mysore City Municipalities (amendment) Act, 194

(2) It shall come into force at once

Addition of new section 102A in Act VII of 1933

2 After section 102 of the Mysore City Municipalities Act, 1933, the following section shall be added as section 102A thereof, namely -

Penalty for non-payment of tax

"102A. In the event of non-payment of any taxes imposed under section 64 within fifteen days from the date of service of notice of demand under sub-section (3) of section 95, and without prejudice to the other provisions of this Chapter, the person failing to pay such tax shall, on conviction before a magistrate, be liable to a fine not exceeding twice the amount of tax found to be due "

Statement of Objects and Reasons

The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in Chapter VIII of the City Municipalities Act, 1933. It has been brought to the notice of Government that the existing provisions of law are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent Both the Municipal Commissioner, Bangalore City and the President, Mysore City Municipal Council have stated that it is necessary to insert a provision in the Act empowering the Municipal Council to collect the assessed taxes from defaulters by recourse to prosecution

There is a provision of this kind inthe Municipal Laws of the Civil and Military Station, Bangalore.

It is accordingly proposed to amend the Kyucre City Municipalities Act, 1933

THE MYSORE CITY MUNICIPALITIES (AMENDMENT) BILL

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933

It is hereby enacted as follows -

Short title and commencement

1 (1) This Act may be called the Mysore City Municipalities (amendment) Act, 194

(2) It shall come into force at once

Addition of new section 102 A in Act VII of 1933

2 After section 102 of the Mysore City Municipalities Act, 1933, the following section shall be added as section 102A thereof, namely,-

Penalty for non-payment of tax

"102A In the event of non-payment of any tax imposed under section 64 within fifteen days from the date of service of notice of demand under sub-section (3) of section 95, and without prejudice to the other provisions of this Chapter, the person failing to pay such tax shall, on conviction before a magistrate, be liable to a fine not exceeding twice the amount of tax found to be due "

25/11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

Dated Bangalore, 26th July 1941

No L 632-33

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,

Law Department.

To

Sir,

I am directed to state that it was reported to Government that the present provisions for the recovery of assessed taxes in the City Municipalities made in Chapter VIII of the Mysore City Municipalities Act, 1933, are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent and therefore it was proposed to amend the said Act by adding a section as 102.A. as noted in the margin.

"102.A. In the event of non-payment of any tax imposed under section 64, within fifteen days from the date of service of notice of demand under clause 3 of section 95, the person failing to pay such a tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due"

I am to request you to kindly obtain and forward the opinion of the Municipal Council on the proposed amendment of the Act.

I have the honour to be,
Sir,
Your most obedient servant.

(Sd) for Secretary to Government,
Law Department.

BSN/3.

NOTIFICATION

No 3068—*L C*, *Bangalore, dated 6th December* 1940

Under Rule 8 of the rules for the conduct of business of the Mysore Legislative Council, the accompanying Mysore City Municipalities (Amendment) Bill is published for general information with the statement of objects and reasons

By Order,
H V NARAYANA RAO,
Secretary,
Mysore Legislative Council

The Mysore City Municipalities (Amendment) Bill

WHEREAS it is expedient further to amend the Mysore City Municipalities Act, 1933

It is hereby enacted as follows —

Short title and commencement

1 (1) This Act may be called the Mysore City Municipalities (Amendment) Act, 194

(2) It shall come into force at once

Addition of new section 102 A in Act VII of 1933

2 After section 102 of the Mysore City Municipalities Act, 1933, the following section shall be added as section 102 A thereof namely —

Penalty for non payment of tax

"102 A In the event of non payment of any tax imposed under section 64 within fifteen days from the date of service of notice of demand under sub section (3) of section 95 and without prejudice to the other provisions of this Chapter, the person failing to pay such tax shall, on conviction before a magistrate, be liable to a fine not exceeding twice the amount of tax found to be due'

STATEMENT OF OBJECTS AND REASONS

The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in

Appendix F G—1]

SUBJECT

Section

File No

Serial No

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 26th July '41

Signed by Mr A. Krishnacha

No 1632-33

To The Ml Commr., Bcg., Through
The Dpty, city ml cl, Mysore

Sir,

I am directed to state ~~the Govt observe that~~ it was reported to Govt that the present provisions for the recovery of assessed taxes made in the city metres ~~laid down~~ in chapter VIII of the Mysore city metres Act 1933 are inadequate to enable the city ml cls to collect the taxes speedily & to the fullest extent & ~~that they are accordingly~~ it was proposed to amend the said Act by adding a section 102A as noted in the margin

I am therefore to requ

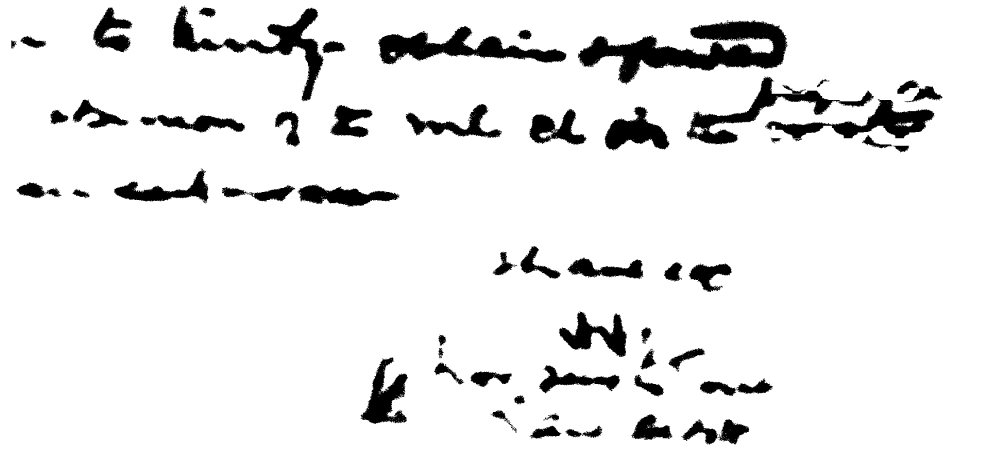
102A In the event of non-payment of any tax imposed under section 64, within fifteen days from the date of service of notice of demand under clause 3 of section 95, the person failing to pay such a tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due."

List of enclosures

Copied by

~~to Section 102A~~ as

Examined by



BANGALORE CITY MUNICIPALITY

No A4 1067/39-40

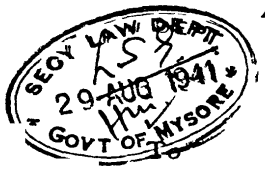
Encl One

MUNICIPAL OFFICES

Bangalore 28th August 1941

From

ABDUL AZIZ KHAN Esq B.A.
MUNICIPAL COMMISSIONER
BANGALORE CITY



H V Narayana Rao,Esq ,B.A.,LL B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT BANGALORE

SIR

With reference to your letter No,L 632-33 dated 26-7-1941, requesting to obtain and forward the opinion of the Council in the matter of amending the Mysore City Municipalities Act, 1933 by adding a Section as 102A to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent, I have the honour to state that the subject was placed before the Municipal Council who, at their meeting held on 16-8-1941, have resolved that they are not in favour o the said addition A copy of the resolution is also herein enclosed for reference.

I have the honour to be,

S i r,

Your most obedient servant,

Forwarded with compliments

HONORARY PRESIDENT

MUNICIPAL COMMISSIONER

Minutes of the Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 16th August 1941 at 4 P.M. in the Council Chamber of the City Municipal Offices, Bangalore.

-- ooo --

Present

W. H. Hanumantnappa,Esq.,
Honorary President.

Messrs.

1. R. Subbanna
2. N. Kesavalangar,B.A.,B.L.
3. Ramalal Thiwari
4. L.S. Raju,M.A.(Hons),B.L.
5. V. Venkataramanappa
6. G. Nanjappa
7. V. Venkataswamy Chetty
8. K. Ganga Setty
9. K.N. Ramaswamy,B.A.
10. K. Shamarajaiengar,B.A.
11. C.N. Narasinga Rao,B.A.,B.L.
12. M A. Gopalaswamy Iyengar,M A.,LL.B.
13. A. Madhava Iyengar,B.A.
14. M.K. Narayana Iyengar,B.A.,B.L
15. H.C. Suryanarayana Rao
16. B. Subbiah,B.Sc.,LL.B.
17. O.S. Nasarulla Sheriff,M.A.,LL B.
18. S.N.M. Razvi
19. A. J. Khaleel,B.A.,B.L.
20. V. Chikkayellappa

Absent

Messrs.

1. V.K. Govindarajulu,B.A.,B.L.
2. K. Hanumanthiah,B A.,~~xxx~~LL.B.
3. T Gangadharaswamy
4. B. Narasimhiah
5. H.R. Guruv Reddy,B.A.,LL B.
6. M.R. Honnappa,B.A.,B.L.
7. Kota Kamakshiah Setty
8. Mirza M. Azizulla Beig
9. Dr. M. Royan,M.D.

-- ooo --

svc.

BANGALORE CITY MUNICIPALITY

-- oOo --

Proceedings of the Meeting of Council dated

the 16th August 1941

Subject No 24 -

Letter No L 632-33 dated 25-7-1941 from the Law Secretary in the matter of adding Sec 102(A) to the M C M Act re collection of taxes etc

Mr L S Raju moved that this Council is not in favour of this addition to the Mysore City Municipalities Act, and Mr M A Gopalaswami Iyengar seconded the same

Resolution -

A p p r o v e d

Sd/-W H Hanumanthappa,

Honorary President

-- oOo --

"C o p y"

Municipal Commissioner

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat

No L2253 — Dated Bangalore, 12th September, 1941

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore
Law Department.

To

The Municipal Commissioner,
Bangalore City, through President, Municipal Council.

S i r,

With reference to your letter No A4.1067/39-40 dated 28th August 1941 stating that the Municipal Council are not in favour of amending the Mysore City Municipalities Act 1933 by the addition of a section 102A so as to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent, I am directed to request you to be so good as to state what alternative action they propose to take to collect the heavy outstanding arrears of taxes in the City Municipality.

The favour of an early reply is requested

I have the honour to be,
S i r,
Your most obedient servant

(Draft) for Secretary to Government,
Law Department

Appendix F G—1]

SUBJECT

Section

File No

Serial No

Diary No of letter replied to

No 12255

To

General and Revenue Secretariat

( )

the *19*

The Ml Commr, Bang, Hon Pte

Sir,

Date of issue 12th Sept 41

With reference to your

Signed by Mr A Aremachal

letter No A4-1067/39-40 Dy 28th

Aug 1941 stating that the Ml

Cl are not in favour of

amending the Mysore City

Metres Act 1933 by the addn

of a section 102A, to enable the

City Ml Cls to collect the taxes

List of enclosures

speedily & to the fullest

extent, I am directed to

Copied by ML 1/9/41

request you to be so good as

Examined by

to state what alternative

action they propose to take
to collect the heavy outstanding
arrears of taxes in the case only
Be favour of an early
reply is requested

I have etc

for reply to South
Law Dept
6/9

7563/L

No GT 2904/41-42
Encl Two

OFFICE OF THE PRESIDENT
CITY MUNICIPAL COUNCIL MYSORE

Date 4th June, 42 194

From

B S RAGHAVENDRA RAO Esq MA (Hons)
PRESIDENT CITY MUNICIPAL COUNCIL
MYSORE

GOVT & REV SECRETARIAT
9 JUNE 1942
L S G BRANCH

To

HC NARAYANASWAMI NAIDU, ESQ , B A , B L ,

Secretary to Government,

Law Department, Bangalore

GOVT OF MYSORE

Sir,

Re - Amendment of the Mysore City Municipalities Act 1933, by the addition of a Section as 102 A

====

All

With reference to your letter No L 632-33 dated 26th July 1941 regarding the above, I have the honour to state that the Municipal Council referred the matter to the Legal Committee, who resolved at their meeting held on 22nd May 1942 as follows -

"It is not necessary to add the proposed amendment and penalize rate payer for money payment The proposed amendment would convert a civil claim into a criminal liability"

This resolution of the Legal Committee was approved of by the Municipal Council, in their meeting held on

30th May, 1942

The copies of the Committee's and Council resolutions are herewith enclosed for your information

I have the honour to be,

Sir,

Your most obedient servant,

Rajendra Prasad

PRESIDENT 4/6

SNR

MYSORE CITY MUNICIPALITY

Proceedings of the Legal Committee Meeting held on Friday the 22nd May, 1942 at 5-15 P M

====

Subject - 39 - Municipal Council Subject No 705 referred to the Legal Committee

Letter No L-632-33 dated 22nd July 1941 from the Law Secretary to Government calling for the opinion of the Municipal Council in the matter of adding a Section as 102 A of the City Municipalitie Act to facilitate speedy collections

Resolution -It is not necessary to add the proposed amendment and penalize rate-payer for money payment The proposed amendment would convert a civil claim into a criminal liability

(Sd) T Mariappa,
Chairman

" Copy "

B Veerabhadrappa

~~For~~ Chairman.
President 4/1.

snr

MYSORE CITY MUNICIPALITY

Proceedings of the Ordinary General Meeting of the Mysore City Municipal Council held in the Municipal Office on Saturday the 30th May 1942, at 5-30 p m

PRESENT

B S Raghavendra Rao Esq M A (Hons) *President.*

2 P Sitaramiah Esq B A B.L. *Vice President*
3 A Krishna Murty Esq
4 U L Ramachandra Rao Esq
5 Chowdiah Esq
6 M K Linganna Esq B A LL B
7 T S Rajagopala Iyengar Esq M A LL B.
8 T Narasimha Iyengar Esq B A B L.
9 A N Suryanarayana Rao Esq
10 Mrs B Kameswaramma B A
11 Agaram Rangiah Esq
12 B Narayanaswamy Esq B A B L.
13 T Mariappa Esq B A LL B.
14 M V Venkataramiah Esq
15 M S Nanjappa Esq
16 G R Rangaswamiah Esq
17 E P Nanjappa Esq
18 G Janardan Naidu Esq
19 Patnam Sreenivasasetty Esq
20 M R C Basappa Esq
21 T Venkataramaniah Esq
22 T S Alikhan Esq
23 Haji Mir Amiruddin Khuraichi Esq
24 S A Kareem Esq
25 B L Maridandiah Esq
26 F C Devaraja Urs Esq

ABSENT

27 S Linganna Esq
28 M C Mallappa Esq
29 N Rajagopala Iyengar Esq B A B I
30 Dr A J Ram L M & S
31 Mahomed Khalilulla Esq M A LL B

===

943 Legal Committee Resolution No 39 dated 22-5-1942 stating that the amendment proposed in the Law Secretary's letter No L 632-33 dated 22-7-1941 in the matter of adding a section as 102A of the City Municipalities Act to facilitate speedy collections, is not necessary as it would penalize the rate-payer and it would convert a civil claim into a criminal liability

" APPROVED "

(Sd) B S Raghavendra Rao,
President

" Copy "

B S Raghavendra Rao

PRESIDENT

Appendix F G—1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 4.7.42

"C"

Signed by Mohd Rao

List of enclosures

Copied by

Examined by

Section ML

File No

Serial No

No L. 110

To The ML Commnr, Bezwada

Sir,

With reference to your letter no A4 1067/39-40 dt 6-4-42 re. the subject proposals for the speedy Collection of heavy outstanding arrears of taxes in the city Mfly, I am directed to request you to be so good as to state the progress since made by the Byelaws Committee in the disposal of the subject. An early reply is requested as the question which is pending for a very long time has to be finally disposed of. I have etc

for Secy to Govt

Law Dept

WD 086—GPB—40 000—30 7 42

BANGALORE CITY MUNICIPALITY

No A4-1067/39-40 MUNICIPAL OFFICES

Encl Nil Bangalore 6th August 1942.

ML 157-42

7 AUG 1942

From

ABDUL AZIZ KHAN ESQ B A
MUNICIPAL COMMISSIONER
BANGALORE CITY

SECY LAW DEPT 3 AUG 1942 GOVT OF MYSORE

C Narayanaswamy Naidu, Esq , B A , B.L ,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT BANGALORE

SIR

With reference to your letter No L 2255 dated 12-9-1941 enquiring about the alternative action which the Municipal - Council proposes to take for collecting the heavy outstanding arrears of taxes in this Municipality, I have the honour to - state that the letter under advertance was placed before the Council, who, at their meeting held on 25-10-1941 referred the matter to the Managing Committee, who in turn, referred it to the Bye-Law Committee The Bye-law Committee proposed a note making the promotion and prospects of the executive staff to depend upon their prompt collection of arrears of taxes and suggesting that if this is done no amendment of the bye-law is necessary and that collection would improve The note placed by the Bye-law Committee was approved by the Council on 25-7-1942 Copies of the resolutions and the note referred to above are also herein enclosed for favour of reference

I have the honour to be,
Sir,
Your most obedient servant,

orwarded with compliments

K Hanumanthaiya

HON PRESIDENT

MUNICIPAL COMMISSIONER

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ksm

No 3/42

Minutes of the Proceedings of the Adjourned General Meeting of the City Municipal Council, Bangalore, held on Saturday the 25th July 1942 at 4 P.M , in the Council chamber of the - City Municipal Offices, Bangalore.

PRESENT -

K. HANUMANTHAIYA, ESQ., B.A , LL.B.,

Honorary President

1. Messrs. V. K. Govindarajulu, B.A., B.L.,
2. R. Subbanna
3. N. Keshava Iyengar, B.A , B.L.,
4. Ramlal Thiwari
5. L. S. Raju, M A , (Hons), B L.,
6. V. Venkataramanappa
7. G. Nanjappa
8. T Gangadharaswamy.
9. V Venkataswamy Chetty.
10. K. N. Ramaswamy, B.A.,
11. H. R. Guruv Reddy, B A., LL.B.,
12. M A. Gopalaswami Iyengar, M.A., B.L.,
13. M. R. Honnappa, B A., B.L.,
14. M. K Narayana Iyengar, B A., B.L.,
15. V. Chikkayellappa.

ABSENT -

1. Messrs. W. H. Hanumanthappa.
2. B. Narasimhiah.
3. K. Ganga Setty.
4. K. Shamaraja Iyengar, B.A ,
5. C. N. Narasinga Rao, B.A , B.L.,
6. B. Subbiah, B.Sc , LL.B.,
7. Kota Kamakshiah Setty,
8. O S Nasarulla Sheriff, M A., LL.B.,
9. Mirza M. Azeezulla Beig,
10. A. R A Basith
11. H. B. Mohamed Khan.
12. Dr. M. Royan, M.D ,
13. " Miss Kamala Ramachandriah
14. V A C A N T.

BANGALORE CITY MUNICIPALITY

Proceedings of the Meeting of Council dated 25-7-1942

Subject No 13 -

Opinion of the Bye-law Committee dated 6-6-1942 approving the Note of the Chairman regarding proposals for the recovery of arrears of taxes

Resolution - A p p r o v e d

Sd/- K Hanumanthaiya,
Hon President

"Copy"

Municipal Commissioner

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[illegible] Committee [illegible]

"DONE"

of Item's note is approved

[illegible] Congress [illegible]

[illegible] of Item

mittee

- ation to sec. 102 of the 93-Ex. Com-

ttor of Proposals for Recovery of Treats, in place of

reclaim the letter from the Law Secretary in the

I - Legislative Committee Resolution dated EE 27-11-41 -

Proceedings of the Joint Committee dated 8-8-42

BYE LAW COMMITTEE,

Dated 6-6-1942

Subject No.1

Under the Act two remedies are open to the Municipality for recovery of arrears of taxes, viz., (1) Civil Suit and (2) Distress and sale of the movable property of the defaulter

Criminal prosecution for non-payment of taxes will work with peculiar hardship upon the poorer classes and is repugnant to - modern ideas of justice

In the Civil and Military Station, Bangalore, the Municipal Commission seldom resorts to criminal prosecution for recovery of arrears of taxes Every year, there would be about ten or twelve cases in which criminal prosecution is launched And it would appe that criminal prosecution is instituted only against those defaulte who do not possess any movable property and whose default is wil-ful.

The Committee is of opinion that the recovery of arrears of taxes largely depends upon the efficiency of the Executive staff

Unless the promotion and prospects of the Commissioner and other executive officers are made to depend upon their prompt collection of arrears of taxes, it is hardly possible to impart efficiency and to show substantial progress in the recovery of arrears of taxes There does not appear to be any other method by which these officers can be made to feel that they are not mere birds of passage in the Municipality It is suggested that the Government may be pleased to frame a rule under the Act in this behalf

The Committee, therefore considers that there is no need to amend the Act so as to invest the Executive with any additional powers and that the recoveries could decidedly improve if the Executive were to take prompt and effective action against defaulters under the existing law.

MUNICIPAL COMMISSIONER

msk

whole no communal considerations should weigh in the matter of recruitment thereto Will the Government be good enough to see that appointments in this department in future are made by the Public Service Commissioner?

(No answer)

GOVERNMENT BUSINESS

I General Principles of the Bill to amend the Mysore City Municipalities Act, 1933

The LAW SECRETARY to GOVERNMENT (Mr H V Narayana Rao) explained the general principles of the bill as follows —

The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in Chapter VIII of the City Municipalities Act 1933 It has been brought to the notice of Government that the existing provisions of law are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent Both the Municipal Commissioner Bangalore City and the President Mysore City Municipal Council have stated that it is necessary to insert a provision in the Act empowering the Municipal Councils to collect the assessed taxes from defaulters by recourse to prosecution

There is a provision of this kind in the Municipal Laws of the Civil and Military Station Bangalore

It is accordingly proposed to amend the Mysore City Municipalities Act 1933 by adding a section as follows —

102-A In the event of non payment of any tax imposed under section 64 within fifteen days from the date of service of notice of demand under clause 3 of section 95 the person failing to pay such tax shall on conviction before a Magistrate be liable to a fine not exceeding twice the amount of the tax found to be due

He added that the arrears in the Bangalore City Municipality were on the increase year after year While in the Bangalore Cantonment Municipality as much as 98 per cent of the Municipal demand was being collected regularly every year it was a matter for regret that in the Bangalore City Municipality not even 50 per cent was being collected The arrears which stood at Rs 1 85 915 in 1934-35 had risen gradually to as much as Rs 4 20 115 in 1939-40 The Municipality had committed itself to a large expenditure on improvement works and unless it collected the arrears it would neither discharge its loans to Government nor would be in a position to give effect to its extensive improvement programmes It was therefore quite necessary to give it every facility to collect its dues even in its own interest Though the measure was of a penal nature he pointed out that in actual practice it would not result in any hardship to the tax payers It was a measure calculated to benefit the City Municipalities and he hoped that the House would give its acceptance to it.

Mr D VENKATARAMANAPPA in opposing the measure said that in the cities of Bangalore and Mysore the responsibility for the collection of municipal taxes lay on the executive officers appointed by Government and he was sorry that they should have allowed so much arrears to accumulate within the last several years There already existed certain provisions in the City Municipalities Act in regard to collection of municipal dues such as by distraining moveables and by resort to civil courts But it was a matter for regret that they were not being availed of properly In some individual cases they had even been misused He knew of an instance in which for a small arrear of Rs 50 or Rs 60 valuable properties worth Rs 700 Rs 800 had been brought to auction and later on transferred to the names of their kith and kin But that apart what he wished to say was that the existing provisions were quite sufficient for the realisation of the dues There was no necessity to add another provision

Proceeding he said that it was just possible that due to trade depression and other economic factors a large number of people found it difficult to pay their dues There were rich people also among the defaulters All the same the dues that were outstanding against all of them were sure to be collected sooner or later But all on a sudden if they were to be proceeded against criminally as proposed in the measure it would really result in great hardship to them. Merely on the ground that such a law was in force in the C and M Station Bangalore there was no need to introduce it in the City also

Also recourse to a penal action for the collection of the local tax would not redound to the credit of a State which had earned the name of Ramarajya. For all these reasons he requested the Government to withdraw the bill

Mr B L. BYANNA agreed with the previous speaker that the accumulation of arrears in the municipality was entirely due to the neglect on the part of the executive officers in respect of collection work. These officers were appointed by Government Further the municipal council had no executive functions to discharge He had been a member of the municipal council continuously for the past several years and as such he had full knowledge of the affairs in the municipality Till about 6 or 7 years ago the collections used to come to 80 per cent It was only since then they have gone down to 50 per cent Some time ago the City Municipal Commissioner brought forward before the municipal council a proposal to recover the municipal arrears by recourse to coercive processes But it was voted down by the council by a majority The Municipal Commissioner then seemed to have written to Government in the matter The Mysore City Municipality also seemed to have followed suit That seemed to be the reason why the Government had proposed the measure But the point to be considered was what diffi-

only the executive officers had in the matter of collecting the dues promptly. It seemed to him that one such difficulty was that a largee number of alienations had been made of the house properties without the necessary transfer entries being made in the *khatas* concerned. Six years back there was a revision of house assessment In about 300 cases it was difficult to find out who the actual owners of the houses were No proper investigation seemed to have been made so far in respect of this matter To many a question of his in the City Municipal Council on the above subject and also in respect of collecting the arrears he did not get any convincing replies From his experience of the Municipal Council for the past several years he had no hesitation in saying that the executive officers of the municipality should be held responsible for the present unsatisfactory state of affairs The existing law had sufficient provisions to ensure prompt recovery of taxes. There was no necessity for the addition of another provision in the law He had no doubt that if the executive functions were vested in the municipality it was sure to show much better progress in the matter of collections He desired that the experiment might be tried for some time and that if the municipal council failed to come up to expectations he had no objection to the Government then bring forward the proposed measure He was of opinion that treating the non payment of municipal dues a criminal offence was unnecessary Besides the time allotted for payment was only 15 days from the date of service of the demand notice This was too short a period Some of the holders would be absent from station and in their cases it might act as a great hardship For these reasons he requested the Government to withdraw the bill

At this stage **the SECOND MEMBER (Rajamantrapravina K V Anantaraman)** observed that before the subject was discussed further he would like to place before the House a few facts with a view to help the members to understand the reasons why the measure had been proposed He pointed out that Government did not take any initiative in the matter The Bangalore City Municipality made a suggestion in this behalf to the Government and the Government after detailed examination of the various aspects of the case, had proposed the measure

Mr B L BYANNA interrupting said that the municipal council did not agree to the proposal and therefore it could not be suggested that the municipality had something to do with the proposal under discussion

Mr K V ANANTARAMAN replied that he had a copy before him of the proceedings of the municipal council on the subject a perusal of which would amply bear out his statement In support of the proposal before the municipal council the Municipal Commissioner had stated therein that the proposition seemed to have been voted down by the

municipality for two or three reasons only The first was that taxation was already heavy But the Commissioner had met that point by saying that the adoption of prosecution as a coercive measure would not increase taxation or its absence would not bring down taxation The other reason urged was that the tax payers were not getting sufficient return at present for the taxes they were paying This point too had been met by saying that if the moneys due to the municipality had been realised the improvements that the tax-payers desired could be effected The Commissioner had also pointed out that it was the first and foremost duty of every citizen to pay the tax due by him voluntarily and that in the absence of it steps must be taken to collect the dues promptly On this one member of the council seemed to have stated that it was generally the rich that failed to pay the dues and that the municipality could not take action against them for obvious reasons Thereafter when the proposal was put to the vote eight members were against it and six were for it From this it was apparent that all the six members who took part in the discussion supported the resolution Hence the Commissioner thought it right to send up the proposal to the Government for taking necessary action Therefore it was plain that the Government had no hand in taking initiative in the matter

Secondly for the past few years not even 50 per cent of the demand was being collected every year The existing rules in respect of the recovery of municipal dues seemed to be wanting in some respects Poor people generally paid their dues, but the difficulty was with the rich people Some of them seemed to have to pay large amounts of arrears. In some cases the arrears ranged up to Rs 1 000 or more When the shanbhogs went to their houses for collecting the defaulters evaded pay ment by making all sorts of pleas As they were rich men the shanbhogs hesitated to take drastic action to collect the dues Unless the defaulters were proceeded against in a civil court, there was no hope of getting the moneys due. But every one knew very well how long it would take in a civil court before the case was disposed of Hence the neces-sity had arisen for the inclusion of the provision in the municipal law

The proposed measure was after all in the interests of the municipality itself. It had borrowed large sums of money from the Government having committed itself to big items of expenditure It would be well if it had this power so that its dues might be collected with facility and also it might be enabled to carry out its improvement works besides paying back the loans to Government

In conclusion the speaker said that no one need entertain any fear that the measure would operate unduly harsh by against the tax payer Such of those who paid their dues regularly—and under this category came the poor people—had nothing to be afraid of It was intended to be applied only in the case of those defaulters who could afford to pay but evaded payment He hoped that the members would consider these points and give their support to the measure

MJ J ASWATHANARAYANA RAO heartily welcomed the measure for the following reasons —

It had been conceived with the best of motives It would awaken the civic consciousness among the taxpayers because there was the element of compulsion and fear of being fined before a Magistrate It was therefore salutary in its nature.

When the municipal dues regularly came to the municipal exchequer there would be no occasion for the municipality to levy additional taxes like the Profession tax that had been now levied

As generally the poor paid their dues promptly they need have no fear by the measure

The proposed measure was no innovation in the history of local laws Such penal provision existed in several other local laws of the land and they had not created any hardship to the generality of people For instance if the consumer of electrical energy failed to pay electrical charges due by him within a certain date the service was liable to be cut off and the person concerned had to pay a fine of one rupee for reconnection On account of this penal provision the Electrical Department had been getting its revenue regularly It could not be said that the consumer was being put hardship by the mere existence of the penal provision There was therefore nothing wrong in principle to have a penal provision in the municipal law too

Lastly the proposed provision should not be considered as involving any moral turpitude of the defaulter Even Lord Curzon was said to have been fined once for violating the Traffic rules Every one rich or poor must respect the law of the land and any punishment inflicted for infringement of such law could not be construed as involving moral turpitude. For all the above reasons the speaker requested the Government to take up the matter very seriously and introduce similar provisions in the Town Municipalities Act also. With these words he supported the measure

The proposed measure was [illegible]
[illegible]

Mr MAYI GOWDA agreed that unless the dues were collected promptly no improvement works could be undertaken by the municipality But he seriously doubted whether the proposed measure was at all necessary for that purpose It seemed to him that the existing provisions were quite enough but that they were not being fully enforced by the executive officers He had no manner of doubt that if only the procedure contemplated in the existing rules was adopted strictly irrespective of the status of a taxpayer all the dues were capable of being collected promptly He pointed out that as the First Member of Council was aware the Bannur Municipality was able to collect all its dues within three months by strictly enforcing the provisions of the existing rules themselves

Mr K V ANANTARAMAN pointed out that there was nothing wrong in having a provision of the kind suggested For example there was a penal provision in the octroi rules but it had not been availed of even on any single occasion

Mr MAYI GOWDA observed that he was speaking of mohataifa tax to collect which no stringent provision was necessary It was evident from the speeches made so far that the existing law was quite sufficient to recover the dues from the poor The trouble was in respect of the wealthy classes The proposed measure was pointed out to be necessary for forcing the latter to pay up their dues But he was afraid that once the law was passed, it might be applied in the case of poor people also. For these reasons he opposed the measure

Mr Bhupalam R CHANDRASEKHARAYA stated that from the speech of the law Secretary it was evident that the arrears had accumulated to Rs 4 lakhs odd and that the Municipality was finding it difficult to realise the same Such being the case, he was at a loss to understand as to how the Municipality could collect the already out standing arrears and a similar sum by way of fine that may be imposed by the Courts

The SECOND MEMBER (Rajamantrapravina K V Anantaraman) observed that the data on which the member based his argument *viz* that every one would be prosecuted and fined was wrong.

Mr M VENKATASIAH stated that he was on the Mysore City Municipal Council for a good number of years and that speaking from personal knowledge of things the real causes for arrears were quite different Even in this Municipality heavy arrears had accumulated in the past and an earnest attempt was made to find out the causes for the same. The accounts from the year 1922 23 were examined. A detailed examination exposed the fact that neither accounts nor Khates were correctly maintained. In the absence of correct account, a doubt

arose as to whether the demand was justified or not A special establishment with an auditor was sanctioned to investigate into the details This investigation brought to light that as much as Rs 56 000 was wrong demand and if the Municipality had tried to collect it it would have failed miserably The accounts were at once rectified Even after this there used to be arrears to the extent of 1 75 lakhs When Mr T G Rama Iyer was the President of the Municipality, about 800 suits were filed against defaulters in the Civil Courts As much as 98 per cent of the cess weredisposed of within 3 months but there were difficulties in executing the decrees because the Khates were not properly maintained Encumbrance certificates had to be obtained and other formalities had to be observed As a result of the effective steps taken by the Municipality the dues have been recovered from 80 of the people against whom decrees had been obtained. When notices were issued to the parties about the sale of their houses some paid the dues and took possession of their properties and others promised to give the Municipality the dues the Court Fees and the interest and the municipality stopped taking further action Only 13 houses were auctioned last year and 6 during the present year for recovering the dues

So if the Executive and the Managing committee of the Municipality worked in close co operation he did not think there would be any scope for the accumulation of arrears Nothing would be gained by launching cases against them in Magistrates Courts That was not the remedy for present ailment The Municipal councillors should not feel that they were there to exercise some authority But on the other hand they should take personal interest in their work and work in a missionary spirit That was what was done in Mysore, when the system of flush latrines was introduced in Mysore From house to house the Councellor went and insisted upon the people to put up such latrines With very few exceptions all of them did so when the pressure was brought to bear on them and later on they had occasion to thank us for the convenience it afforded The defaulters could have been prosecuted but the municipality avoided that course and persuaded the people to fall in line with others.

Continuing he said that some years back the number of distraint warrants had increased enormously the number having gone up to the extent of 400 The reason for this was investigated and it was found that this was due to good understanding between the Revenue Officer and the Mutsaddis. The councillors brought about harmonious feelings between them and dues had been collected There was some difficulty in the matter of collection in 2 mohallas in Mysore and this was due to accounts not being maintained properly If this was rectified there would be no arrears in Mysore City Municipality

So a certain amount of personal interest in the work and persuasion on the part of municipal councillors would solve many difficulties in regard to municipal arrears

Another point was that the bills were not served in proper time At present they were sent out in January and that was the reason why money could not be collected in proper time If they were issued in July collection works could be facilitated

Without doing this to ask for a penal provision was not justified Until such time as civic consciousness grew in the minds of the people the municipal councillors would do well to take some personal interest in the matter of collections If this was done, there was every likelihood of the entire demand being collected

With these remarks he requested that the measure be taken back

Rao Sahib M RAMASWAMY felt that the method of collecting taxes proposed in the measure seemed to him to be a novel one He was of opinion that the existing provisions of the law were quite enough for the prompt collection of taxes He quite agreed with the statement that while the poor paid all their dues promptly the well to-do evaded payment The reason for that lay in the fact that the revenue officers themselves hesitated to take action against them If notices were issued to them also, he was sure that thay would pay off their dues There was also another reason why the collection work was in arrears Various other duties were being tacked to them and they could not possibly bestow full attention on their legitimate duties For example at present shanbhogs were engaged in Census work and they could not devote any attention to collection

Mr K V ANANTARAMAN observed that Census work was only once in 10 years and they must do it according to rules They must also do other work entrusted to them

Continuing **Mr RAMASWAMY** said that all these additional duties would tend to make them neglect their legitimate duties because it would not be possible for them to attend to all and discharge the same satisfactorily In the Revenue Department, it was no wonder that nearly 98 per cent of the taxes were promptly collected, because

the Amildars and other revenue officers devoted their entire attention for collection work. He could not understand as to why if the municipal authorities did the same in the cities also the demand should not be collected in full If only the municipal authorities devoted better attention towards the collection of taxes there would not be any difficulty at all The proposed measure was sure to result in great harm to the people

With these remarks he opposed the measure

Mr S RAMAPPA stated that if statistics showing the number of distraint warrants issued and executed on the defaulters were collected and examined it would be clear that the authorities concerned had not properly exercised even the existing powers vested in them If the municipal authorities after exercising all the existing provisions of the law failed to collect their dues then would be the time for them to take for additional powers On the other hand there were so many instances where those who could afford to pay were evading payment of taxes and no action under the existing provisions had been taken against them He had no objection to making municipal tax a primary charge on the property He felt that non payment of municipal taxes should not be treated as a criminal offence and therefore the proposed bill was not called for in the present conditions of the country

Mr T S ALI KHAN endorsed the opinions expressed by Mr H Venkatesiah that the provisions of the existing law were quite enough for the prompt collection of taxes Generally the municipal authorities collected the taxes only from the poor and were not putting pressure on the richer classes of people for various reasons They were afraid that once they got into disfavour with the rich and influential people they would get into difficulties In spite of this delicate situation if the shanbhogs went and demanded payment the people would put them off by asking them to come a few days hence or write a letter to the officer asking for more time to pay the dues That would be sufficient reason for the shanbhog not to go to the party for another 2 or 3 months At present at least the municipal authorities went about for collection work but if the proposed bill was introduced they would simply sit in their places and satisfy themselves by sending notices to the defaulters and launching prosecutions against them The collections would in no way improve for these reasons he opposed the measure

Mr MIRZA AZIZULLA BEIG however said that year after year the municipalities were asking Government for enhanced grants but the former were not taking effective steps to collect their dues Without money no improvement work was possible of being undertaken The proposed bill provided for a penal clause just as in many other laws of the country All the same they were not

applied at all They were intended to create a fear in the minds of the people that any breach of law on their part would make them liable for punishment It was with that object that the amendment had been proposed. Unless there was such a statutory provision, it was not possible to collect the municipal dues promptly

As had already been pointed out it was the rich that evaded payment and as such this would be applied in their cases and not in the case of the poor who need not be afraid of any such provision at all, because they were paying their dues regularly The proposed measure was absolutely necessary If however it was considered that the period of 15 days now fixed for the payment of the dues from the date of the issue of notice was considered very short it might be increased to a month. By introducing the proposed measure he thought that the system of shanbhogs collecting taxes might be done away with Merely because it had not been found possible to collect the arrears enforcing the existing law power was proposed to be taken to launch cases before magistrates The measure was a wholesome one and should be introduced without any delay

Mr K V ANANTARAMAN assured the members that it was not the object of Government to put the people to unnecessary trouble For many reasons collection of taxes was not quite satisfactory in spite of the fact that additional establishment was sanctioned for the purpose It was a wellknown fact that without funds no improvement work could be undertaken The members need have no fear that this provision would be enforced in all cases Before cases were filed in the Magistrate s Court the Managing Committee of the municipality would discuss the necessity or otherwise for such a course For these reasons he hoped that the members would accept the general principles of the measure before the House

Thereupon the general principles of the bill were put to vote and lost 17 voting for and the majority of the House voting against